

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
SNOWY RANGE SEED AND HARDWARE COM- )  
PANY, A CORPORATION, 4305 BRIGHTON )  
BOULEVARD, DENVER 16, COLORADO. )  
----- )

PERMIT NO. M-8048

-----  
October 7, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Snowy Range Seed and Hardware Company, A Corporation, Denver 16, Colorado  
requesting that Permit No. M-8048 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8048, heretofore issued to Snowy Range Seed and Hardware Company, A Corporation, Denver 16, Colorado be,  
and the same is hereby, declared cancelled effective September 1, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Garth C. Horton  
Henry E. Zuleygo  
Commissioners

Dated at Denver, Colorado,

this 7th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
ANGELO ROSSI, DOING BUSINESS AS, )  
"ROSSI PRODUCE COMPANY", 4301 )  
BRIGHTON BOULEVARD, DENVER 16, COLO- )  
RADO. )  
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PERMIT NO. M-11075

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October 7, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Angelo Rossi, doing  
business as, "Rossi Produce Company", Denver 16, Colorado  
requesting that Permit No. M-11075 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11075, heretofore issued to Angelo Rossi, doing  
business as, "Rossi Produce Company", Denver 16, Colorado be,  
and the same is hereby, declared cancelled effective September 1, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Frank C. Horton  
Henry E. Zuckerman  
Commissioners

Dated at Denver, Colorado,

this 7th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

EARL D. VANDER LAS, DOING BUSINESS )  
AS, "VAN'S DISTRIBUTING COMPANY", )  
2459 SOUTH FRANKLIN STREET, DENVER )  
10, COLORADO. )  
-----)

PERMIT NO. M-13873

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October 7, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Earl D. Vander Las,  
doing business as, "Van's Distributing Company", Denver 10, Colorado  
requesting that Permit No. M-13873 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13873, heretofore issued to Earl D. Vander Las, doing  
business as, "Van's Distributing Company", Denver 10, Colorado be,  
and the same is hereby, declared cancelled effective July 22, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Joseph C. Horton  
Henry E. Zurlings  
Commissioners

Dated at Denver, Colorado,

this 7th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
CHARLES CUNNINGHAM, DOING BUSINESS )  
AS, "EADS FURNITURE STORE", 12 02 )  
MAIN, EADS, COLORADO. )  
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PERMIT NO. M-14847

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October 7, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles Cunningham,  
doing business as, "Eads Furniture Store", Eads, Colorado  
requesting that Permit No. M-14847 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14847, heretofore issued to Charles Cunningham, doing  
business as, "Eads Furniture Store", Eads, Colorado be,  
and the same is hereby, declared cancelled effective September 28, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Ralph C. Horton  
Henry E. Zerkow  
Commissioners

Dated at Denver, Colorado,

this 7th day of October, 195 9.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
EDWARD J. SNIDER AND FRED W. BETTGER, )  
5500 NORTH MARION, DENVER 16, COLO- )  
RADO. )  
----- )

PERMIT NO. M-15590

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October 7, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Edward J. Snider and  
Fred W. Bettger, Denver 16, Colorado  
requesting that Permit No. M-15590 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15590, heretofore issued to Edward J. Snider and  
Fred W. Bettger, Denver 16, Colorado be,  
and the same is hereby, declared cancelled effective September 4, 1959..

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Wm E. Zank  
Commissioners

Dated at Denver, Colorado,

this 7th day of October, 195 9,

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
EARL THOMPSON, GULNARE, COLORADO. )  
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PERMIT NO. M-1102

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October 7, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Earl Thompson,  
Gulnare, Colorado  
requesting that Permit No. M-1102 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1102, heretofore issued to Earl Thompson  
Gulnare, Colorado be,  
and the same is hereby, declared cancelled effective September 19, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Joseph C. Horton  
Henry E. Zuckerman  
Commissioners

Dated at Denver, Colorado,

this 7th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

JOHN H. COSTANZO, DOING BUSINESS AS, )  
"JOHN H. COSTANZO WHOLESALE BEER", )  
113 SOUTH COLORADO STREET, GUNNISON, )  
COLORADO. )  
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PERMIT NO. M-1476

-----  
October 8, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from John H. Costanzo,  
dba "John H. Costanzo Wholesale Beer", Gunnison, Colorado  
requesting that Permit No. M-1476 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1476, heretofore issued to John H. Costanzo,  
dba "John H. Costanzo Wholesale Beer", Gunnison, Colorado be,  
and the same is hereby, declared cancelled effective June 30, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Henry E. Zullinger  
Commissioners

Dated at Denver, Colorado,

this 8th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
CLARENCE JOHNSON, NEW RAYMER, COLO- )  
RADO. )  
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PERMIT NO. M-3675

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October 8, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Clarence Johnson,  
New Raymer, Colorado  
requesting that Permit No. M-3675 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3675, heretofore issued to Clarence Johnson,  
New Raymer, Colorado be,  
and the same is hereby, declared cancelled effective May 15, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph J. Negro  
Ralph C. Norton  
Henry E. Ziehl  
Commissioners

Dated at Denver, Colorado,

this 8th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
CHARLES I. MUSICK, DOING BUSINESS AS, )  
"ABC REFRIGERATION SERVICE COMPANY", )  
3075 SOUTH BELLAIRE STREET, DENVER )  
22, COLORADO. )  
----- )

PERMIT NO. M-15913

-----  
October 8, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles I. Musick,  
dba "ABC Refrigeration Service Company", Denver 22, Colorado  
requesting that Permit No. M-15913 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15913, heretofore issued to Charles I. Musick,  
dba "ABC Refrigeration Service Company", Denver 22, Colorado be,  
and the same is hereby, declared cancelled effective September 10, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph J. Negro  
Joseph C. Anderson  
Wm. E. Zink  
Commissioners

Dated at Denver, Colorado,

this 8th day of October, 195 9.

original

(Decision No. 53114)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
RAILWAY EXPRESS AGENCY, INCORPORATED, )  
EXPRESS ANNEX, UNION TERMINAL BUILD- )  
ING, DENVER, COLORADO, TO WITHDRAW )  
ITS AGENCY AT WOLCOTT, COLORADO. )  
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APPLICATION NO. 17376

-----  
October 1, 1959  
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S T A T E M E N T

By the Commission:

Pursuant to Rule No. 6 of this Commission's "Rules and Regulations Pertaining to Railroads and Express Companies Operating in the State of Colorado," Railway Express Agency, Inc., by Oren F. Lewis, Superintendent, filed its Petition requesting authority to permanently close the Railway Express Agency office in the Town of Wolcott, Eagle County, Colorado, and to handle future express service from the Agency office at Eagle, Colorado.

Wolcott is on the Royal Gorge Route of The Denver & Rio Grande Western Railroad Company, serving from Denver through Salida to Grand Junction, Colorado, and is located ten miles easterly from Eagle, Colorado.

Applicant reports that in recent years there have been changes in the methods of merchandising and distribution that have seriously reduced the volumes of express handled over its whole system. The necessity for system-wide economies has called for a closer examination of the activities of all stations. During the year of 1958, Total Revenue at the Wolcott station was \$138.44, of which 10%, or \$13.87, was paid to the local agent as commission. Number of shipments varied from none in March 1958 to maximum of five in December for a year's total of 25

or an average of two shipments per month.

Investigation by the Commission's Staff has confirmed the low volume of business. It appears that since closing of the Rio Grande station at Wolcott (Decision No. 46812, November 15, 1956), the Express business has been handled by Mr. Roy Peate, as a local Merchant Agent. Mr. Peate is also the Post Master and operates a General Store and filling station. He reported about ten families reside in the Wolcott area; that principal activity of the region is sheep grazing and express items have consisted of small seasonal shipments of baby chicks and other grocery items. Service is offered by Rio Grande Motor Way, Inc. trucks on a route operating between Glenwood Springs and Salida, Colorado; the westbound stop is made at 10:00 A. M., and eastbound at 3:00 P. M.

The Rio Grande trucks operate as a supplementary rail service between open stations and those areas where no rail stops are made. In this case, the nearest station will be at Eagle where an agent is on duty Monday through Friday from 7:15 A. M. to 4:25 P. M. Mr. Peate reported that no inconvenience would result under the change of express handling by the Eagle station. Because of the small volumes and since the Rio Grande trucks make a stop at his store, Mr. Peate suggested the express merchandise could still be put off at owners risk (P.O.O.R.) at Wolcott and the details of reporting be handled by the Depot Agent at Eagle.

After a consideration of the facts concerning the instant request, it appears that Railway Express is desirous to maintain a delivery service into Wolcott, but that economies of operation can be developed by handling from the rail station office at Eagle. It appears that the proposed change has received public notice in the area. Since no protests have been forwarded to this agency, the Commission determined to hear, and has heard said matter forthwith, without further notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission is informed in the instant matter.

That there is not sufficient necessity to maintain an independent Express Agency Office at Wolcott, Colorado.

That transfer of the office services from Wolcott to Eagle, Colorado, is compatible with the public convenience and necessity of the area.

That en-route delivery service of express shipments be provided on the standard basis of "Put Off at Owners Risk".

O R D E R

THE COMMISSION ORDERS:

That the foregoing Statement and Findings be made a part hereof.

That Railway Express Agency, Inc., Denver, Colorado, be, and it hereby is, authorized to close its Agency Office at Wolcott, Colorado, and to thereafter offer service from Eagle, Colorado, in accordance with appropriate tariff postings:

Wolcott, Colorado - Office Closed,  
Waybill to Eagle, Colorado,

and reference shall be made to this decision as authority therefor.

That the change in service shall be made effective on notice to this Commission and the general public by not less than one (1) day's filing and posting of new schedules in the manner prescribed in the Colorado Public Utilities Act, Chapter 115-3-4, Colorado Revised Statutes, 1953.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph F. Nigro*  
*Robert C. Hinton*  
*Henry Spadengo*  
Commissioners.

Dated at Denver, Colorado,  
this 1st day of October, 1959.



original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
UNION RURAL ELECTRIC ASSOCIATION, )  
INC., BRIGHTON, COLORADO, FOR AUTH- )  
ORITY TO EXTEND FACILITIES IN THE ) APPLICATION NO. 17104-Extension  
NORTHEAST QUARTER OF SECTION 27, )  
TOWNSHIP 2-NORTH, RANGE 68-WEST, )  
WELD COUNTY, COLORADO. )  
----- )

SUPPLEMENTAL ORDER

-----  
October 1, 1959  
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Appearances: Grant, Shafroth, Toll, Chilson,  
and McHendrie, Esqs., by  
Erl H. Ellis, Esq., Denver,  
Colorado, for Union Rural  
Electric Association, Inc.;  
Lee, Bryans, Kelly and Stans-  
field, Esqs., by  
Bryant O'Donnell, Esq., Denver,  
Colorado, for Public Service  
Company of Colorado;  
E. R. Thompson, Denver, Colo-  
rado, and  
J. M. McNulty, Denver, Colorado,  
for the Staff of the Commission.

S T A T E M E N T

By the Commission:

On September 18, 1959, the Commission entered its  
Decision No. 53061, denying Application No. 17104 of Union Rural  
Electric Association, Inc. to render electric service to a tenant  
house of Leon Lessor.

On September 22, 1959, Union Rural Electric Association,  
through its attorneys, filed an Application for Rehearing.

The Commission has considered said application for re-  
hearing and each and every allegation contained therein, but feels  
no useful purpose will be had by granting said Application for  
Rehearing.

F I N D I N G S

THE COMMISSION FINDS:

That Application for Rehearing filed herein by Union Rural Electric Association, Inc., on September 22, 1959, should be denied.


O R D E R

THE COMMISSION ORDERS:

That Application for Rehearing filed herein by the Attorneys for Union Rural Electric Association, Inc., Brighton, Colorado, on September 22, 1959, 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 F. Nigro  
Joseph G. Norton  
Henry E. Carlucci  
Commissioners.

Dated at Denver, Colorado,  
this 1st day of October, 1959.

ea

original

(Decision No. 53116)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )	
ANDERSON MFG. COMPANY, A CORPORA- )	
TION, DOING BUSINESS AS "ENGLEWOOD )	APPLICATION NO. 9166
AIRPORT," ENGLEWOOD, COLORADO, FOR )	<u>SUPPLEMENTAL ORDER</u>
A CERTIFICATE OF PUBLIC CONVENIENCE )	
AND NECESSITY. )	
----- )	

-----  
October 1, 1959  
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S T A T E M E N T

By the Commission:

On May 7, 1948, the Commission entered its Decision No. 30434 in the above-styled application, granting to applicant herein a certificate of public convenience and necessity, authorizing operation as a common carrier, by airplane, in interstate and intrastate commerce, for:

transportation of passengers and property, not on schedule, but on call and demand, in irregular service, between all points in the State of Colorado, applicant not to establish an office or branch for the purpose of developing business at any town, place, or city other than Englewood, Colorado, and nearby airports.

The Commission is now in receipt of a communication from said certificate-holder, requesting authority to suspend operations under said authority granted by Decision No. 30434 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:

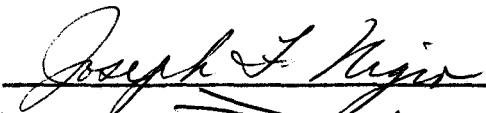

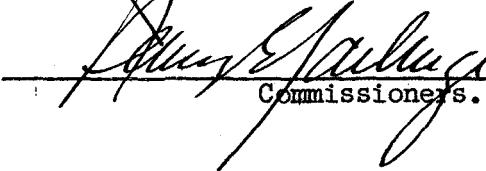
That Anderson Mfg. Company, a corporation, doing business as "Englewood Airport," Englewood, Colorado, be, and hereby is,

authorized to suspend operations under authority granted by  
Decision No. 30434 until March 25, 1960.

That unless said certificate-holder shall, prior to  
expiration of said suspension period, reinstate said operating  
rights, by complying with all rules and regulations of this Com-  
mission applicable to operations as a common carrier by airplane,  
said authority, without further action by the Commission, shall  
stand revoked, without right to reinstate.

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 1st day of October, 1959.

ea

revised

(Decision No. 53117)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF )  
ALLEN C. SWANSON AND EDWARD R. ) PUC NO. 4038  
LAMBERT, BUENA VISTA, COLORADO. )  
-----)

-----  
October 1, 1959  
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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 the above-captioned certificate-holders, owners and operators of PUC No. 4038, requesting authority to do business under the trade name "Ace Service."

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 Secretary of the Commission is hereby instructed to change the records of the Commission to show that PUC No. 4038 is owned and operated by:

"Allen C. Swanson and  
Edward R. Lambert, co-  
partners, doing business as  
'Ace Service,' "

in lieu of:

"Allen C. Swanson and  
Edward R. Lambert."

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph F. Higin*  
*Robert C. Higin*  
*Henry J. Higin*  
Commissioners

Dated at Denver, Colorado,  
this 1st day of October, 1959.  
ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )	
GEORGE WILSON, BOX 194, PLATTE- )	PERMITS NOS. B-5725
VILLE, COLORADO. )	M-11861
----- )	CASE NO. 91113-INS.

-----  
October 1, 1959  
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S T A T E M E N T

By the Commission:

On September 15, 1959, in Case No. 91113-Ins., the Commission entered its Order, revoking Permits Nos. B-5725 and M-11861 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made with the Commission by said Respondent.

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permits Nos. B-5725 and M-11861 be, and the same hereby are, reinstated, as of September 15, 1959, revocation order entered by the Commission on said date in Case No. 91113-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Higgs  
Ralph C. Hoban  
Henry E. Aulengo  
Commissioners.

Dated at Denver, Colorado,  
this 1st day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF )	
HENRY R. TUREK, DOING BUSINESS )	PERMIT NO. M-5946
AS "ARTESIA PRODUCE COMPANY," )	<u>CASE NO. 90694-INS.</u>
BOX 106, ARTESIA, COLORADO. )	
- - - - - )	

- - - - -  
October 1, 1959  
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S T A T E M E N T

By the Commission:

On September 15, 1959, the Commission entered its Order in Case No. 90694-Ins., revoking Permit No. M-5946 for failure of Respondent herein to keep effective insurance on file with the Commission.

Inasmuch as proper insurance filing has now been made with the Commission by said Respondent, without lapse,

F I N D I N G S

THE COMMISSION FINDS:

That said permit should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-5946 be, and the same hereby is, reinstated, as of September 15, 1959, revocation order entered by the Commission on said date in Case No. 90694-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph T. Nye*  
*Ralph C. Nelson*  
*Henry J. Gault*  
Commissioners.

Dated at Denver, Colorado,  
this 1st day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN RE MOTOR VEHICLE OPERATIONS OF )	
CARL J. REINHARDT, 705 BRIDGE )	PERMIT NO. M-4852
STREET, BRIGHTON, COLORADO. )	CASE NO. 91297-INS.
----- )	

-----  
October 1, 1959  
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S T A T E M E N T

By the Commission:

On September 15, 1959, the Commission entered its Order in Case No. 91297-Ins., revoking Permit No. M-4852 for failure of Respondent herein to keep effective insurance on file with the Commission.

Proper insurance filing has now been made with the Commission by said Respondent, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-4852 be, and the same hereby is, reinstated, as of September 15, 1959, revocation order entered by the Commission on said date in Case No. 91297-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph T. Nigro*  
*Ralph C. Holmes*  
*Henry E. Mulenga*  
Commissioners.

Dated at Denver, Colorado,  
this 1st day of October, 1959.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
HARRY SUMNER, 1309 HARLOW LANE, )  
LOVELAND, COLORADO. )  
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 )  
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PERMIT NO. B-5593

-----  
October 8, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Harry Sumner,  
Loveland, Colorado  
requesting that Permit No. B-5593 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5593, heretofore issued to Harry Sumner,  
Loveland, Colorado be,  
and the same is hereby, declared cancelled effective September 8, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Higgins  
Ralph C. Horton  
Henry E. Zuckerman  
Commissioners

Dated at Denver, Colorado,

this 8th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
A. E. GALLEGOS, DOING BUSINESS AS, )  
"A. E. GALLEGOS AND SONS", P. O. BOX )  
248, LA JARA, COLORADO. )  
----- )

PERMIT NO. B-5718

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October 8, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from A. E. Gallegos,  
dba "A. E. Gallegos and Sons", La Jara, Colorado  
requesting that Permit No. B-5718 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5718, heretofore issued to A. E. Gallegos,  
dba "A. E. Gallegos and Sons", La Jara, Colorado be,  
and the same is hereby, declared cancelled effective September 21, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph F. Negro*  
*Frank C. Horton*  
*Henry E. Zaulig*  
Commissioners

Dated at Denver, Colorado,

this 8th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF )

BILL NORRIS, 316 - 11TH  
AVENUE, GREELEY, COLORADO.

PUC NO. 3665-I

October 8, 1959

# STATEMENT

By the Commission:

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

Greeley, Colorado

requesting that Certificate of Public Convenience and Necessity No. 3665-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. 3665-I heretofore issued to Bill Norris.

Greeley, Colorado

be, and the same is hereby declared cancelled effective June 6, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Joseph C. Norton  
Henry E. Zuckers  
Commissioners

Dated at Denver, Colorado,  
this 8th day of October, 1959.

## hc

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
O. C. TURNELL, 215 - 5TH AVENUE, )  
DURANGO, COLORADO. )  
 )  
 )  
 )  
 )  
----- )

PERMIT NO. B-5729

-----  
October 8, 1959  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from O. C. Turnell,  
Durango, Colorado  
requesting that Permit No. B-5729 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5729, heretofore issued to O. C. Turnell,  
Durango, Colorado be,  
and the same is hereby, declared cancelled effective September 10, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
James C. Norton  
Henry E. Zalkow  
Commissioners

Dated at Denver, Colorado,  
this 8th day of October, 1959.

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 53125 )

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WILLIAM E. FRANZEN, DOING )  
BUSINESS AS, "FRANZEN AND SON", )  
3385 CHASE STREET, DENVER 12, )  
COLORADO. )  
-----

PERMIT NO. B-5806

-----  
October 8, 1959  
-----

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-5806 be suspended for six months from June 10, 1959.

F I 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. Franzen, doing business as, "Franzen and Son",

be, and is hereby, authorized to suspend his operations under Permit No. B-5806 until December 10, 1959.

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 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

*Joseph F. Negro*  
*Frank C. Horton*  
*Wm. E. Zuckerman*  
Commissioners

Dated at Denver, Colorado,  
this 8th day of October, 1959.

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 53126 )

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EDWIN M. CAMERON, DOING BUSINESS )  
AS, "CAMERON COAL COMPANY", )  
601 - 11TH STREET, GREELEY, )  
COLORADO. )  
-----

PERMIT NO. B-1326

-----  
October 8, 1959  
-----

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-1326 be suspended for six months from October 15, 1959.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Edwin M. Cameron, doing business as, "Cameron Coal Company",  
Greeley, Colorado  
be, and is hereby, authorized to suspend his operations under Permit No. B-1326 until April 15, 1960.

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 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

*Joseph F. Negro*  
*Ralph C. Johnson*  
*Henry E. Zuckerman*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 8th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MIKE GLENN, ROUTE 1, BOULDER COLO- )  
RADO, FOR AUTHORITY TO TRANSFER )  
PERMIT NO. B-4724 TO FRED GLENN, ) APPLICATION NO. 17377-PP-Transfer  
ROUTE 1, LAFAYETTE, COLORADO. )  
----- )

-----  
October 5, 1959  
-----

Appearances: Fred Glenn, Lafayette,  
Colorado, pro se;  
Leslie R. Kehl, Esq.,  
Denver, Colorado,  
for Denver-Chicago  
Transport Co., Inc.

S T A T E M E N T

By the Commission:

Mike Glenn, Boulder, Colorado, is the owner and operator  
of Permit No. B-4724, authorizing:

transportation of sand, gravel, and other  
road surfacing materials used in construc-  
tion of roads and highways, from pits and  
supply points in the State of Colorado,  
to road jobs within a radius of 50 miles  
of said pits and supply points, and for  
the transportation of sand, gravel, dirt,  
stone and refuse from and to building con-  
struction jobs, to and from points within  
a radius of 50 miles of said jobs, excluding  
service in Boulder, Clear Creek and Gilpin  
Counties; coal from mines in the northern  
Colorado coal fields to Valmont Plant of  
Public Service Co., located near Boulder,  
Colorado; Kumer-Empson and Great Western  
Sugar Company plants within a 50-mile radius  
of Boulder, and to Rocky Mountain Arsenal,  
located northeast of Denver, Colorado.

By the instant application, Mike Glenn, Boulder, Colo-  
rado, seeks authority to transfer said Permit No. B-4724 to  
Fred Glenn, Lafayette, 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, September 28, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

Fred Glenn testified in support of the application that he is owner of a 1949 three-ton dump truck, Model T-750; that he has been engaged in hauling the commodities listed in the authority; that he has a net worth of approximately \$5,000; that he will comply with the rules and regulations of the Commission, with which he is already familiar.

Mr. Kehl appeared for Denver-Chicago Transport Co. Inc., and stated his client had no objection to the transfer if the authority is restricted against the use of tank trucks.

The operating experience and financial responsibility of transferee were established to the satisfaction of the Commission.

#### 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 Mike Glenn, Boulder, Colorado, should be, and he hereby is, authorized to transfer all his right, title and interest in and to Permit No. B-4724 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference, said authority being restricted herein against the use of tank trucks -- to Fred Glenn, Lafayette, 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, unless such time shall be extended by the Commission, upon proper application.

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 time of transfer of said permit.

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

Joseph F. Nigro  
Joseph C. Anderson  
Henry S. Pauling  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of October, 1959.

ea

original

(Decision No. 53128)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FRED GLENN, ROUTE 1, LAFAYETTE, )  
COLORADO, FOR AUTHORITY TO EXTEND ) APPLICATION NO. 17378-PP-Extension  
OPERATIONS UNDER PERMIT NO. B-4724. )  
-----)

-----  
October 6, 1959  
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Appearances: Fred Glenn, Lafayette, Colo-  
rado, pro se;  
Leslie R. Kehl, Esq., Denver,  
Colorado, for Denver-  
Chicago Transport Co., Inc.

S T A T E M E N T

By the Commission:

Fred Glenn is the owner and operator of Permit No.  
B-4724, which authorizes:

Transportation of sand, gravel, and other  
road surfacing materials used in construc-  
tion of roads and highways, from pits and  
supply points in the State of Colorado, to  
road jobs within a radius of 50 miles of  
said pits and supply points, and for the  
transportation of sand, gravel, dirt, stone,  
and refuse from and to building construct-  
tion jobs, to and from points within a  
radius of 50 miles of said jobs, excluding  
service in Boulder, Clear Creek and Gilpin  
Counties; coal from mines in the northern  
Colorado coal fields to Valmont Plant of  
Public Service Co., located near Boulder,  
Colorado; Kuner-Empson and Great Western  
Sugar Company plants within a 50-mile radius  
of Boulder, and to Rocky Mountain Arsenal,  
located northeast of Denver, Colorado.

By the present application, said permittee seeks authority  
to extend operations under Permit No. B-4724 to include the right  
to transport sand, gravel, and other road-surfacing materials used  
in the construction of roads and highways, from pits and supply  
points in the State of Colorado, to road jobs, mixer and processing  
plants within a radius of fifty miles of said pits and supply points;

sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points; wheat, between points in Boulder and Weld Counties, and from said Counties to Denver and a radius of fifteen miles thereof.

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, September 28, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

Applicant testified in support of the application that he would like to expand the operations in conformity with the extension requested, as the present authority, limited as it is, is not broad enough to keep him fully occupied; that there is and has been demand for the services which he intends to provide under the extended authority; that he has no objection if the permit be restricted against the use of tank trucks.

Mr. Kehl stated his client would not object to the extension of the permit if the same is restricted against the use of tank trucks and further stated that his client has no interest in the hauling of wheat.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

That the extension sought should be granted, as set forth in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Fred Glenn, Lafayette, Colorado, should be, and hereby is, authorized to extend operations under Permit No. B-4724, to include the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points; the transportation of road-surfacing materials being restricted against the use of tank trucks only; and wheat, between points in Boulder and Weld Counties, and from said counties to Denver and a radius of fifteen miles thereof.

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.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Aguirre  
Ralph W. C. Norton  
Henry E. Culley  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
DOLF G. METZLER, JUNIOR, YUMA, COLO- )  
RADO. )

PERMIT NO. M-6896

October 14, 1959

## STATEMENT

**By the Commission:**

The Commission is in receipt of a communication from Dolf G. Metzler,  
Junior, Yuma, Colorado  
requesting that Permit No. M-6896 be cancelled.

## FINDINGS

## THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. M-6896, heretofore issued to Dolf G. Metzler,  
Junior, Yuma, Colorado be,  
and the same is hereby, declared cancelled effective July 23, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Ralph C. Horton  
Henry E. Zuckerman  
Commissioners

Dated at Denver, Colorado,

this 14th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
(MRS.) CLIFFORD BIXLER, DOING BUSINESS )  
AS, "HARTLEY'S TERRIBLE TERRY'S", )  
P. O. BOX 93, LONGMONT, COLORADO. )  
----- )

PERMIT NO. M-6645

-----  
October 14, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from (Mrs.) Clifford Bixler,  
dba "Hartley's Terrible Terry's", Longmont, Colorado  
requesting that Permit No. M-6645 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6645, heretofore issued to (Mrs.) Clifford Bixler,  
dba "Hartley's Terrible Terry's", Longmont, Colorado be,  
and the same is hereby, declared cancelled effective September 13, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Henry E. Zuckerman  
Commissioners

Dated at Denver, Colorado,

this 14th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
AUGUST KESSELRING AND KATHERINE )  
KESSELRING, DOING BUSINESS AS, "GUS' )  
BUTTER MAID SHOP", 2080 SOUTH HURON, )  
DENVER 23, COLORADO. )  
-----)

PERMIT NO. M-7323

-----  
October 14, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from August Kesselring and Katherine Kesselring, dba "Gus' Butter Maid Bake Shop", Denver 23, Colorado requesting that Permit No. M-7323 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7323, heretofore issued to August Kesselring and Katherine Kesselring, dba "Gus' Butter Maid Bake Shop", Denver 23, Colorado be, and the same is hereby, declared cancelled effective October 2, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Frank C. Horton  
Henry E. Zepher  
Commissioners

Dated at Denver, Colorado,

this 14th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

SAM B. FORD, P. O. BOX 733, FORT  
MYERS, FLORIDA.

PERMIT NO. M-8434

October 14, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Sam B. Ford, Fort  
Myers, Florida  
requesting that Permit No. M-8434 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8434, heretofore issued to Sam B. Ford, Fort  
Myers, Florida be,  
and the same is hereby, declared cancelled effective February 1, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Joseph C. Horton  
Henry E. Zink  
Commissioners

Dated at Denver, Colorado,

this 14th day of October, 1959.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
BOB VENUTI, JUNIOR AND MARGARTE )  
WORGER AND JEAN BERKE, DOING BUSINESS )  
AS "WILDERNESS TRAILS RANCH", )  
BAYFIELD, COLORADO. )  
-----)

PERMIT NO. M-13099

-----  
October 14, 1959  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Bob Venuti, Jr. and  
Margarte Worger and Jean Berke, dba "Wilderness Trails Ranch", Bayfield, Colorado  
requesting that Permit No. M-13099 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13099, heretofore issued to Bob Venuti, Jr. and  
Margarte Worger and Jean Berke, dba "Wilderness Trails Ranch", Bayfield, Colo. be,  
and the same is hereby, declared cancelled effective September 13, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Francis C. Horton  
Henry E. Zurling  
Commissioners

Dated at Denver, Colorado,

this 14th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
JAMES DAGNAN AND MORRIS MIHELICH, )  
DOING BUSINESS AS, "J AND M LATH )  
COMPANY", P. O. BOX 236, PAONIA, )  
COLORADO. )  
----- )

PERMIT NO.M-13166

-----  
October 14, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from James Dagnan and  
Morris Mihelich, dba "J and M Lath Company", Paonia, Colorado  
requesting that Permit No. M-13166 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13166, heretofore issued to James Dagnan and  
Morris Mihelich, dba "J and M Lath Company", Paonia, Colorado be,  
and the same is hereby, declared cancelled effective September 12, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Frank C. Hord  
Wm. E. Zaulings  
Commissioners

Dated at Denver, Colorado,

this 14th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

(THE) CLUTE CORPORATION, P. O. BOX )  
28, ROCKY FORD, COLORADO. )  
\_\_\_\_\_ )

PERMIT NO. M-14676

\_\_\_\_\_  
October 14, 1959  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from (The) Clute Cor-  
poration, Rocky Ford, Colorado  
requesting that Permit No. M-14676 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14676, heretofore issued to (The) Clute Cor-  
poration, Rocky Ford, Colorado be,  
and the same is hereby, declared cancelled effective September 3, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Henry E. Zurling  
Commissioners

Dated at Denver, Colorado,

this 14th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
COLORADO FOOD PROGRAM, INCORPORATED, )  
P. O. BOX 575, GRAND JUNCTION, )  
COLORADO. )  
----- )

PERMIT NO. M-15124

-----  
October 14, 1959  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Colorado Food Program,  
Incorporated, Grand Junction, Colorado  
requesting that Permit No. M-15124 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15124, heretofore issued to Colorado Food Program,  
Incorporated, Grand Junction, Colorado be,  
and the same is hereby, declared cancelled effective September 25, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Robert C. Horton  
Henry E. Zuley  
Commissioners

Dated at Denver, Colorado,

this 14th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
SOUTHEAST COLORADO SPRAYAWAY, INC- )  
ORPORATED, 59 MAYHEW DRIVE, LAMAR, )  
COLORADO. )  
----- )

PERMIT NO. M-15351

-----  
October 14, 1959  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Southeast Colorado  
Sprayaway, Inc., Lamar, Colorado

requesting that Permit No. M-15351 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15351, heretofore issued to Southeast Colorado  
Sprayaway, Inc., Lamar, Colorado be,  
and the same is hereby, declared cancelled effective August 12, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Francis C. Norton  
Henry E. Zurling  
Commissioners

Dated at Denver, Colorado,  
this 14th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
CHARLES VILLASANA, 2616 HARRY HINES )  
BOULEVARD, DALLAS, TEXAS. )  
 )  
 )  
 )  
 )  
----- )

PERMIT NO. M-3932

-----  
October 14, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles Villasana,  
Dallas, Texas  
requesting that Permit No. M-3932 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3932, heretofore issued to Charles Villasana,  
Dallas, Texas be,  
and the same is hereby, declared cancelled effective October 1, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Frank C. Norton  
Henry E. Zaulings  
Commissioners

Dated at Denver, Colorado,  
this 14th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
J. F. AND W. R. ANTHONY, DOING )  
BUSINESS AS, "ANTHONY COMPANY", 902 )  
EAST 34TH STREET, LUBBOCK, TEXAS. )  
----- )

PERMIT NO. M-13683

-----  
October 14, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from J. F. and W. R.  
Anthony, dba "Anthony Company", Lubbock, Texas  
requesting that Permit No. M-13683 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13683, heretofore issued to J. F. and W. R. Anthony,  
dba "Anthony Company", Lubbock, Texas be,  
and the same is hereby, declared cancelled effective July 31, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Robert C. Horton  
Henry E. Zurling  
Commissioners

Dated at Denver, Colorado,

this 14th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
CONCRETE MATERIALS, INCORPORATED, )  
P. O. BOX 2186, KANSAS CITY, KANSAS. )  
----- )

PERMIT NO. M-15331

-----  
October 14, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Concrete Materials,  
Incorporated, Kansas City, Kansas.

requesting that Permit No. M-15331 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15331, heretofore issued to Concrete Materials,  
Incorporated, Kansas City, Kansas be,  
and the same is hereby, declared cancelled effective September 24, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Wm. E. Ziegler  
Commissioners

Dated at Denver, Colorado,

this 14th day of October, 195 9.



SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 53141 )

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOHN KUEHN, SR., JOHN, JR., )  
AND LARRY KUEHN, DOING BUSINESS )  
AS, "KUEHN AND SONS", 5085 )  
LINCOLN STREET, DENVER 16, )  
COLORADO. )  
-----

PERMIT NO. B-2825

-----  
October 15, 1959  
-----

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 their Permit No. B-2825 be suspended for six months from September 1, 1959.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That John Kuehn, Sr., John, Jr., and Larry Kuehn, doing business as "Kuehn and Sons", Denver 16, Colorado be, and is hereby, authorized to suspend their operations under Permit No. B-2825 until March 1, 1960.

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 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

Joseph F. Negro  
Samuel C. Horton  
Henry E. Zuckerman  
Commissioners

Dated at Denver, Colorado,  
this 15th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
DAWSON C. JORDON, ROUTE 4 BOX 893, )  
PUEBLO, COLORADO. )  
\_\_\_\_\_ )

PERMIT NO. M-9348

\_\_\_\_\_  
October 15, 1959  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Dawson C. Jordon,  
Pueblo, Colorado  
requesting that Permit No. M-9348 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9348, heretofore issued to Dawson C. Jordon,  
Pueblo, Colorado be,  
and the same is hereby, declared cancelled effective October 3, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph W. J. J. J.  
Ralph C. Norton  
Henry E. Zullinger  
Commissioners

Dated at Denver, Colorado,

this 15th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
VIRGIL AND VIVIAN BEAUCHAMP, DOING )  
BUSINESS AS, "GRAND JUNCTION FLORIST" )  
861 MAIN STREET, GRAND JUNCTION, )  
COLORADO. )  
-----

PERMIT NO. M-14567

-----  
October 15, 1959  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Virgil and Vivian  
Beauchamp, dba "Grand Junction Florist", Grand Junction, Colorado  
requesting that Permit No. M-14567 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14567, heretofore issued to Virgil and Vivian  
Beauchamp, dba "Grand Junction Florist", Grand Junction, Colorado be,  
and the same is hereby, declared cancelled effective September 10, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Henry E. Zank  
Commissioners

Dated at Denver, Colorado,

this 15th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
CARL LOSASSO, 3538 BRYANT STREET, )  
DENVER 11, COLORADO. )

PERMIT NO. M-2540

October 14, 1959

## STATEMENT

By the Commission:

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

Denver, Colorado

requesting that Permit No. M-2540 be cancelled.

## FINDINGS

### THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. M-2540 , heretofore issued to Carl Losasso.

Denver, Colorado

be,

and the same is hereby, declared cancelled effective September 30, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Samuel C. Horton  
Henry E. Zerk  
Commissioners

Dated at Denver, Colorado,

this 14th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
M AND D PRODUCE, 1313 DEXTER )  
AVENUE, SEATTLE 9, WASH- )  
INGTON. )

PUC NO. 2866-I

October 15, 1959.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from M and D Produce,  
Seattle 9, Washington

requesting that Certificate of Public Convenience and Necessity No. 2866-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. 2866-I heretofore issued to M and D Produce,  
Seattle 9, Washington

be, and the same is hereby, declared cancelled effective August 15, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph J. Negro*  
*Ralph C. Norton*  
*Wm. E. Ziehl*  
Commissioners

Dated at Denver, Colorado,  
this 15th day of October, 1959.

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN A. DOYLE, DOING BUSINESS AS )  
"JOHN DOYLE TRUCK LINE," DELTA, ) APPLICATION NO. 17385-PP-Extension  
COLORADO, FOR AUTHORITY TO EXTEND )  
OPERATIONS UNDER PERMIT NO. B-5654. )  
- - - - - )

- - - - -  
October 6, 1959  
- - - - -

Appearances: R. B. Danks, Esq., Denver,  
Colorado, for Applicant;  
Alvin J. Meiklejohn, Jr., Esq.,  
Denver, Colorado, for Denver-  
Chicago Transport, Inc.; Ward  
Transport, Inc.; Melton Trans-  
port Co. Inc.; and Barlow's  
Service Division of Consoli-  
dated Freightways, Inc.

S T A T E M E N T

By the Commission:

John A. Doyle, doing business as "John Doyle Truck Line,"  
Delta, Colorado, is the owner and operator of Permit No. B-5654,  
which authorizes:

transportation of gasoline and petroleum  
products, for Olin Bruton and Sons, only,  
from Denver and a five-mile radius thereof,  
and the Gilsonite Plant near Fruita, Colo-  
rado, to Olin Bruton and Sons' bulk stations  
and filling stations located in Delta and  
Montrose Counties, Colorado.

By the above-styled application, said permit-holder seeks  
authority to extend operations under Permit No. B-5654, to include  
the right to transport gasoline and petroleum products, for Olin  
Bruton and Sons, only, from Denver and a five-mile radius thereof  
and the Gilsonite Plant near Fruita, Colorado, to bulk stations and  
filling stations now or hereafter operated by said Olin Bruton and  
Sons, or in the alternative, to such stations located in the counties  
of Mesa, San Miguel, Ouray, or Gunnison, Colorado.

Said application, pursuant to prior setting, after appro-  
priate notice to all parties in interest, was heard at the Hearing

Room of the Commission, 330 State Office Building, Denver, Colorado, October 1, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

The testimony and evidence of the applicant and of Vandy Olin Bruton, both of whom testified in support of the application, was to the effect and as follows: that the applicant has two tractors and other equipment adaptable for providing the proposed service; that applicant is in a position to acquire additional equipment, if necessary; that applicant has approximately seven employees and is experienced in the field of operations contemplated; that Bruton, for whom the services are intended to be rendered, has known the applicant for over thirty years and from his experience with the applicant knows that he has an excellent reputation and that the services heretofore rendered by the applicant for him have been excellent.

Bruton, the customer for whom the services are to be rendered, also stated that he operates a gasoline business with his sons and that he intends to expand his business to include the counties of Mesa, San Miguel, Ouray and Gunnison; that he will use the services of the applicant, if the application is granted; that, if the application is not granted, he will do his own hauling; that he prefers the service of this private carrier over that of any common carrier for the reason, among others, that the sole attention and energies of the applicant will be devoted to satisfactorily performing services for him, whereas the attention and energies of common carriers is scattered and cannot be expected to be as good as that of a private carrier in this instance and under the present circumstances.

There was little if any evidence at all as to what volume of revenue the rendition of the contemplated services would generate and, therefore, the Commission is without basis for an opinion to find that the proposed operation will impair the efficient public service of any common carrier or carriers now in the area.

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 above and foregoing Statement is hereby made a part of these Findings by reference.

That the Commission is not of the opinion that the proposed operations of the applicant will impair the efficient public service of the protestants, or of any other common carriers serving the same territory if the permit is restricted as hereinafter set out in the following Order.

## O R D E R

### THE COMMISSION ORDERS:

That John A. Doyle, doing business as "John Doyle Truck Line," Delta, Colorado, should be, and he is hereby, authorized to extend operations under Permit No. B-5654, to include the right to transport gasoline and petroleum products for Olin Bruton and Sons, only, from Denver and a five-mile radius thereof, and the Gilsonite Plant, near Fruita, Colorado, to bulk stations and filling stations now or hereafter operated by Olin Bruton and Sons located in the Counties of Mesa, San Miguel, Ouray, and Gunnison, 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

Joseph J. Myers  
Francis C. Horton  
Henry E. Mulvaney  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of October, 1959.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

SAMUEL G. BAYLESS, ROUTE 3 BOX 261 $\frac{1}{2}$ , )  
PUEBLO, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. M-769

-----  
October 15, 1959  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Samuel G. Bayless,  
Pueblo, Colorado

requesting that Permit No. M-769 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-769, heretofore issued to Samuel G. Bayless,  
Pueblo, Colorado be,

and the same is hereby, declared cancelled effective September 9, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Joseph C. Norton  
Commissioners

Dated at Denver, Colorado,

this 15th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
LARAL E. BRUCE AND WINIFRED L. BRUCE, )  
DOING BUSINESS AS, "LIMON SUPER )  
MARKET", LIMON, COLORADO. )  
----- )

PERMIT NO. M-2813

-----  
October 15, 1959  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Laral E. Bruce and  
Winifred L. Bruce, dba "Limon Super Market", Limon, Colorado  
requesting that Permit No. M-2813 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2813, heretofore issued to Laral E. Bruce and  
Winifred L. Bruce, dba "Limon Super Market", Limon, Colorado be,  
and the same is hereby, declared cancelled effective October 2, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Barth C. Horton  
Henry E. Zuckerman  
Commissioners

Dated at Denver, Colorado,

this 15th day of October, 1959.

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
R. V. MC GUIRE, 75 HAZEL COURT, )  
DENVER, COLORADO, FOR AUTHORITY TO ) APPLICATION NO. 17383-PP-Extension  
EXTEND OPERATIONS UNDER PERMIT NO. )  
B-5502. )  
-----)

-----  
October 6, 1959  
-----

Appearances: R. V. McGuire, Denver,  
Colorado, pro se;  
Edward L. Reilly, Denver,  
Colorado, for Curnow  
Transportation Company,  
Inc.

S T A T E M E N T

By the Commission:

Applicant herein is the owner of Permit No. B-5502,  
authorizing transportation of:

ore, from mines in Jefferson and Clear Creek  
Counties, Colorado, to mills and railroad  
loading points in said counties, for Arapahoe  
Mining and Uranium Company, only.

By the above-styled application, he seeks authority to  
extend operations under said Permit No. B-5502, to include the  
right to transport ore, from mines in Jefferson and Clear Creek  
Counties, Colorado, to mills and railroad loading points in said  
counties, for Stoney Point Development Corporation, only.

Said application, pursuant to prior setting, after appro-  
priate notice to all parties in interest, was heard at the Hearing  
Room of the Commission, 330 State Office Building, Denver, Colo-  
rado, October 1, 1959, and at the conclusion of the evidence, the  
matter was taken under advisement.

By stipulation at the hearing, the applicant amended his  
application, whereby he seeks a modification of his present authority  
to withdraw Arapahoe Mining and Uranium Company, only, as a customer,

and to restrict the commodity he seeks to carry for Stoney Point Development Corporation, only, to limonite iron ore.

Applicant is basically an earth-mover, who constructs roads in remote mining areas and engaged in strip mining operations for others, under contract. As a part of this operation, he transports the mined product or ore to designated points.

If the authority herein sought is granted, applicant proposes to engage in strip mining of the commodity known as "limonite iron ore," which is basically used as a feed, and for fertilizer. After the ore has been processed, he will transport it to loading points or other designated points in Jefferson and Clear Creek Counties. His contract is for Stoney Point Development Corporation, only.

It is apparent immediately that the transportation for hire to be rendered in this type of an operation constitutes one of the phases of the contract between the applicant and the mine. Mining and earth-moving likewise are essential and important facets of such a contract. Obviously, the intermingling of these various phases of the operation are well beyond the scope of a normal common carrier operation.

No one appeared in protest to the granting of authority herein sought.

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 above Statement is made a part hereof by reference.

That applicant herein should be authorized to extend operations under Permit No. B-5502, as set forth in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That R. V. McGuire, Denver, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-5502, so that said

permit, as extended, shall authorize transportation of:

limonite iron ore, from mines in Jefferson  
and Clear Creek Counties, Colorado, to mills  
and railroad loading points in said counties,  
for Stoney Point Development Corporation, only,

authority heretofore held to serve Arapahoe Mining and Uranium  
Company being hereby specifically stricken from authority under said  
Permit No. B-5502.

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

Joseph F. Nigro  
Raymond C. Hodson  
Henry B. Brulenz  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of October, 1959.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
KELLY FIORENTINI, WESTON, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS A PRIVATE CARRIER BY MOTOR VE- )  
HICLE FOR HIRE. )  
-----

APPLICATION NO. 17384-PP

-----  
October 7, 1959  
-----

Appearances: Kelly Fiorentini, Weston,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled 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, October 1, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

This is an application for authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of telephone poles, logs, forest, sawmill products, and finished products, for Broderick Wood Products Company, only, from forests and sawmills in the State of Colorado, to the Broderick Wood Products Company, in Denver, and to transport the finished products for said company, only, to its customers at all points in the State of Colorado. Applicant requests that in the event authority herein sought is granted, operating rights be known as "Permit No. B-4225," being the number of a permit formerly held by him.

The applicant is an experienced trucker, who formerly had for-hire authority from this Commission. His application was supported by E. W. Baker, of Broderick Wood Products Company, who testified that his

company urgently requires raw materials from the forests in Colorado; that they have been able to manufacture and sell products which are in great demand, but that the lack of supply of raw material is seriously curtailing their operation. This lack of supply of raw material is directly traceable to the lack of truckers who either did not have the equipment or were unable to render the daily service from the hearts of the forests in Colorado to their plant in Denver. They have previously employed Mr. Fiorentini in rendering their own transportation service. This service rendered by the applicant has been outstanding, and it has enabled them to receive adequate raw materials to operate their plant at full force. The Broderick Wood Products Company has endeavored to use common carriers for this purpose, but because of the specialized nature of the service required by the company, they have been unable to find common carriers who can render the type of service they require.

The financial responsibility of applicant was established to the satisfaction of the Commission.

No one appeared in protest to the granting of authority herein sought.

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

##### THE COMMISSION FINDS:

That the foregoing Statement is made a part of these Findings, by reference.

That authority herein sought is compatible with the public interest, and will not impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

That permit should issue to applicant herein, as set forth in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That Kelly Fiorentini, Weston, Colorado, be, and he hereby

is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of telephone poles, logs, forest, sawmill products, and finished products, for Broderick Wood Products Company, only, from forests and sawmills in the State of Colorado, to the Broderick Wood Products Company, in Denver, and to transport finished products for said company, only, to its customers at all points within the State of Colorado.

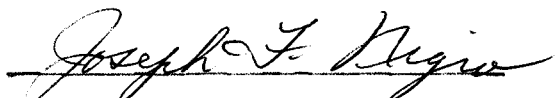


That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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 7th day of October, 1959.

mls



original

(Decision No. 53151)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF ISSUANCE OF )  
TEMPORARY CERTIFICATES OF PUB- )  
LIC CONVENIENCE AND NECESSITY )  
UNDER CHAPTER 80, SESSION LAWS )  
OF COLORADO, 1951, FOR EMER- )  
GENCY MOVEMENT OF POTATO HAR- )  
VEST IN SEDGWICK COUNTY, COLO- )  
RADO. )  
-----

APPLICATION NO. 17392

-----  
October 6, 1959  
-----

S T A T E M E N T

By the Commission:

Report has been received by the Commission from its Complaint and Investigation Division, indicating that an emergency will exist because of shortage of trucks for transportation of the potato harvest in the County of Sedgwick, Colorado, from October 7, 1959, to November 7, 1959.

Request is made for an Order of the Commission relative to issuance of temporary certificates of public convenience and necessity for the seasonal transportation of said potato crop in said County.

F I N D I N G S

THE COMMISSION FINDS:

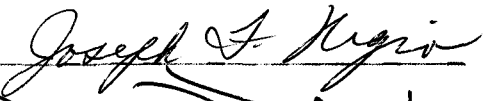

That an emergency exists because of shortage in certificated trucks for transportation of the potato crop in the County of Sedgwick, Colorado, and that public convenience and necessity require that temporary certificates of public convenience and necessity should issue for operation of motor vehicles for transportation of the potato crop, to market or place of storage, as provided by Chapter 80, Session Laws of 1951, said certificates to become effective October 7, 1959, and to remain in effect to and including November 7, 1959.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity be, and are hereby, authorized to be issued for operation of motor vehicles, for the transportation of potatoes, to market or place of storage, in the County of Sedgwick, Colorado, said certificates to become effective October 7, 1959, and to continue in force up to and including November 7, 1959, no such certificate to issue for transportation of such product by motor vehicle to any point beyond the boundaries of the State of Colorado.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

COMMISSIONER HENRY E. ZARLENGO  
NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 6th day of October, 1959.

mls

original

(Decision No. 53152)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
UNION RURAL ELECTRIC ASSOCIATION, )	
INC., BRIGHTON, COLORADO, FOR AUTH- )	
ORITY TO EXTEND FACILITIES IN THE )	APPLICATION NO. 17409-Extension
NORTHEAST QUARTER OF SECTION 6, )	<u>AMENDED</u>
TOWNSHIP 2-SOUTH, RANGE 67-WEST. )	
-----	

-----  
October 8, 1959  
-----

S T A T E M E N T

By the Commission:

On September 28, 1959, Union Rural Electric Association, Inc., Brighton, Colorado, filed an application with this Commission for authority to extend its facilities by building about 720 feet of primary line to serve a home of G. B. Gurley at a location in the Northeast Quarter of Section 6, Township 2-South, Range 67-West, Adams County, Colorado. The estimated cost of the construction is \$866.00.

This application was filed pursuant to the Commission's Order in Application No. 13576, Case No. 5108, Decision No. 47074, of January 7, 1957, which set forth the procedure for obtaining authority to extend facilities distances exceeding 300 feet in length. Applicant has elected by the instant application plan (b) of said Order, which provides for the Commission to issue the authority without a hearing if it so decides, and if there are no protests.

The Commission has examined the record and files herein, and believes that this matter is one which can be decided without a formal hearing, and being fully informed in the matter, will issue its Order granting the construction as requested. The Commission has received a letter from the Public Service Company of Colorado, dated October 1, 1959, and a letter from the Colorado Central Power Company, dated October 2, 1959, both of said letters stating, in effect, that the respective com-

panies have no objection to the granting of the authority sought by the instant application.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the Commission is fully advised in the premises.

That the Applicant has complied with the Commission's Order in Decision No. 47074 previously referred to, and there being no objection by interested parties, the authority as requested should be issued without hearing.

That public convenience and necessity require the rendering of electric service to serve a home of G. B. Gurley at a location in the Northeast Quarter of Section 6, Township 2-South, Range 67-West, Adams County; and that Union Rural Electric Association, Inc., should be authorized to render said service.

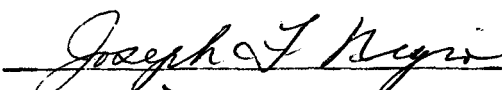
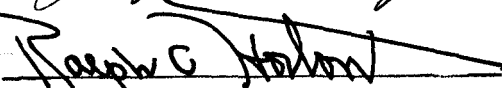
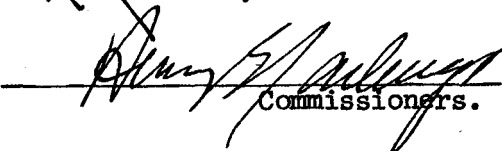
### O R D E R

#### THE COMMISSION ORDERS:

That Union Rural Electric Association, Inc., Brighton, Colorado, be, and it hereby is, granted a certificate of public convenience and necessity, to extend its facilities to serve a home of G. B. Gurley at a location in the Northeast Quarter of Section 6, Township 2-South, Range 67-West, all in accordance with the application for electric service signed by and between the parties, a copy of which was filed with the Commission in the instant matter, and which, by reference, is made a part hereof.

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 8th day of October, 1959.

original

(Decision No. 53153)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THE PIKES PEAK AUTOMOBILE COMPANY, )  
EL POMAR BUILDING, BROADMOOR, COLO- )  
RADO SPRINGS, COLORADO, FOR A CER- ) APPLICATION NO. 17345-Extension  
TIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY, AUTHORIZING EXTENSION OF )  
OPERATIONS UNDER PUC NO. 116. )  
----- )

IN THE MATTER OF THE APPLICATION OF )  
COLBURN MOTOR TOURS, INC., 32 SOUTH )  
NEVADA, COLORADO SPRINGS, COLORADO, )  
FOR A CERTIFICATE OF PUBLIC CONVEN- ) APPLICATION NO. 17347-Extension  
IENCE AND NECESSITY, AUTHORIZING )  
EXTENSION OF OPERATIONS UNDER PUC )  
NO. 1265. )  
----- )

-----  
October 8, 1959  
-----

Appearances: J. Hartley Murray, Esq.,  
Colorado Springs, Colo-  
rado, and  
Ben S. Wendelken, Esq.,  
Colorado Springs, Colo-  
rado, for Pikes Peak  
Automobile Company;  
John H. Lewis, Esq., Denver,  
Colorado, for Colburn  
Motor Tours, Inc.;  
R. E. Anderson, Esq., Colo-  
rado Springs, Colorado,  
for Colorado Springs  
Transit Company;  
John R. Barry, Esq., Denver,  
Colorado, for Denver-Colo-  
rado Springs-Pueblo Motor  
Way;  
Weldon M. Tarter, Esq., Colo-  
rado Springs, Colorado, for  
Grand View Tours, Hiawatha  
Tours, and Kiowa Investment  
Company.

S T A T E M E N T

By the Commission:

On July 29, 1959, Pikes Peak Automobile Company filed  
application for authority to extend its operations under PUC No.  
116 to include the right to transport sightseeing passengers through

the use of multi-passenger buses and other accepted and established means of motor vehicle transportation in the sightseeing business in the Pikes Peak Region.

On August 20, 1959, Colburn Motor Tours, Inc. filed its application for authority to extend operations under PUC No. 1265 to permit the use of multi-passenger buses in sightseeing service.

The above applications were regularly set for hearing, and heard, in the County Court Room, Court House, Colorado Springs, Colorado, on September 4, 1959, at ten o'clock A. M., and at the conclusion of the evidence, the above matters were taken under advisement.

At the hearing, the above applications were consolidated for the taking of testimony, all parties who appeared agreeing thereto.

Mr. John R. Barry offered to withdraw the protest of Denver-Colorado Springs-Pueblo Motor Way if the following stipulation is placed in the record:

- "1. That this authority, whichever authority may be granted by these applications, shall not be construed as granting any authority to transport passengers in charter service or in any other service than sightseeing as normally defined; and
- "2. That the applicants may not lease any equipment authorized hereunder to any authorized carrier not a common carrier."

It appears that both applicants, Pikes Peak Automobile Company and Colburn Motor Tours, Inc., are agreeable to accept the above stipulation. The Commissioner taking the hearing made the following statement after listening to the arguments of counsel:

"I think the matter is important and I hesitate to assume the responsibility as an examiner for the Commission. I said I would accept it. I am going to have to back up on that for the reason I think we should go on through because I think the record should cover the thing in detail. While I don't think the problem is going to come up, I better be safe than sorry, so I will rule upon the stipulation at a later time."

Gunnar Alenius, Vice-President of the applicant Pikes Peak Automobile Company, testified that his company desires to substitute

buses for certain other authorized equipment. The witness states that at present his company is operating Cadillac Sedans, Cadillac Sky-views, and four buses; that they have operated the four buses for five years and it is their experience that the operation of 21-passenger flexible buses is satisfactory, and are desired by the public. The witness pointed out the advantages of bus operation. He emphasized the efficiency in operation, the ease of dispatching equipment, and the reduced personnel in handling the equipment. The witness contends that it is necessary for them to operate additional buses to take care of future business. He explained that due to increased cost of drivers and other expenses, it will be necessary for them to curtail expenses if present rates remain in effect. The witness summarized his testimony by saying:

"In the years that I have been associated with the company, there has been an increasing request for bus accommodations in sightseeing over the limousine. There are still some places where you must use a limousine. There are still requests for private cars where a limousine must be used, but over the years, the requests for buses are growing in proportion to the requests for limousines, and I believe are ahead of them now."

Mr. John Haymes, Executive Assistant Manager of the Broadmoor Hotel, stated his duties included the booking of conventions, and it was his duty to assist in arranging for cars and sightseeing facilities for the persons attending the conventions. He states they desire bus transportation as they want people together as it gives them a feeling of congeniality. He stated "This service we have not been able to give in the past, and that is the reason I am here supporting the applications."

Mr. Dale Seiders, General Manager of the Antlers Hotel in Colorado Springs, corroborated, generally, the testimony of Witness Haymes. He further stated that most convention groups request larger group transportation than that furnished by limousine; that "they are accustomed to that transportation elsewhere and ask us to provide that service," and if Colorado Springs is going to compete for conventions, it is his opinion that bus service is essential.

Mr. Nat G. Leonard, General Manager of Pikes Peak Automobile Company, stated he was familiar with the type of transportation that is being furnished to tourists, sightseers, and conventions throughout the United States at the present time, and it is his opinion that 90% is now bus transportation; that the public prefers and expects to travel in sightseeing buses.

Mr. K. B. Charlesworth appeared in support of the application of Colburn Motor Tours, Inc., and states his company is presently operating two buses and adopts substantially the testimony of the other witnesses.

In considering the above applications, we must bear in mind that applicant Pikes Peak Automobile Company and applicant Colburn Motor Tours, Inc. are limited to a definite number of seats. It does not appear from the applications that they are asking for more seats. It is our belief they are now asking to substitute multi-passenger bus service for limousine or car service, and it is not their intention to increase their capacity, that is, the number of seats or their capacity by the above applications. It is our best judgment, after hearing the evidence, that the granting of the instant applications will improve the service offered by the applicants, and the granting of same would be in the public interest. In other words, we believe this to be an improved service, and a service to which the public is entitled.

Protestant Denver-Colorado Springs-Pueblo Motor Way offered a stipulation that was agreed to by the applicants herein. We see no objection or reason why said stipulation should not be incorporated in the Order, and the stipulation is hereby received by the Commission.

We have carefully reviewed the position of Colorado Springs Transit Company, and feel, after a careful consideration of the record and the evidence adduced at the hearing, that the public interest requires the granting of the above applications.

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

##### THE COMMISSION FINDS:

That public convenience and necessity require the extended



motor vehicle common carrier sightseeing service of applicants, as hereinafter set forth, for the reasons heretofore set forth in our Statement, which, by reference, is made a part of these Findings, and that certificates of public convenience and necessity should issue therefor.

O R D E R

THE COMMISSION ORDERS:

1. That public convenience and necessity require the extension of operations under Certificate of Public Convenience and Necessity No. 116, to include the right to transport sightseeing passengers through the use of multi-passenger buses and other accepted and established means of motor vehicle transportation in the sightseeing business in the Pikes Peak Region, by substitution of buses in lieu of cars or limousines, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

2. That public convenience and necessity require the extension of operations under Certificate of Public Convenience and Necessity No. 1265, to include the right to transport sightseeing passengers through the use of multi-passenger buses and other accepted and established means of motor vehicle transportation in the sightseeing business in the Pikes Peak Region, by substitution of buses in lieu of cars or limousines, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor, but with the following restrictions:

(1) That the authorities above granted shall not be construed as granting any authority to transport passengers in charter service or in any other service than sightseeing as normally defined, and (2) that the owners of these certificates may not lease any equipment authorized hereunder to any authorized carrier not a common carrier.

It is not the intent of this Order to in any way enlarge the certificates of public convenience and necessity but rather to authorize substitution of bus for limousine service.


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

That both applicants herein shall operate their carrier systems 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 applicants 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 F. Nigro  
Robert C. Holton  
Henry E. Zulengo  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
SOUTHERN UNION GAS COMPANY, 1100  
HURT BUILDING, DALLAS, TEXAS, AND  
DURANGO, COLORADO, FOR AUTHORITY  
TO ISSUE AND SELL TO ONE OR MORE  
COMMERCIAL BANKS, PETITIONER'S  
PROMISSORY NOTE, OR NOTES, IN THE  
AGGREGATE PRINCIPAL AMOUNT OF  
\$5,000,000, BEARING INTEREST AT A  
RATE OF NOT MORE THAN 1/4 OF 1% PER  
ANNUM ABOVE THE PRIME BANK INTEREST  
RATE IN EFFECT AS OF THE DATE OF  
ISSUE OF SUCH NOTES, RESPECTIVELY,  
(NO MORE THAN \$5,000,000 PRINCIPAL  
AMOUNT OF SUCH NOTES TO BE OUT-  
STANDING AT ANY ONE TIME), AND  
MATURING ON THE SAME DATE ON OR  
ABOUT 24 MONTHS AFTER THE ISSUE  
DATE OF THE FIRST OF SUCH NOTES.

APPLICATION NO. 17393-Securities

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October 8, 1959  
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S T A T E M E N T

By the Commission:

Upon consideration of the application filed October 7, 1959, by  
Southern Union Gas Company in the above-styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on October 26, 1959, at  
11:00 o'clock A. M., 330 State Office Building, Denver, Colorado, respecting  
the matters involved and the issues presented in this proceeding. Any  
interested municipality or any representative of interested consumers or  
security holders of applicant corporation, and any other person whose partici-  
pation herein is in the public interest, may intervene in said proceedings.  
Intervention petitions should be filed with the Commission on or before  
October 20, 1959, and should set forth the grounds of the proposed intervention,  
and the position and interest of the petitioners in the proceeding, and must be  
subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph I. Myers  
Frederic C. Hoban  
Samuel E. Cullings  
Commissioners

Dated at Denver, Colorado,  
this 8th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
FRANK ELDER, P. O. BOX 247, NUCIA, )  
COLORADO. )

PERMIT NO. M-14034

October 15, 1959

STATEMENT

**By the Commission:**

The Commission is in receipt of a communication from Frank Elder,  
Nucla, Colorado

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requesting that Permit No. M-14034 be cancelled.

## FINDINGS

### THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. M-14034, heretofore issued to Frank Elder,  
Nucla, Colorado be,  
 and the same is hereby, declared cancelled effective August 30, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph C. ...  
Henry E. ...  
Commissioners

Dated at Denver, Colorado,  
this 15th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

R. C. POWER, ROUTE 1, PALISADE,  
COLORADO.

PERMIT NO. M-8698

October 15, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from R. C. Power,  
Palisade, Colorado  
requesting that Permit No. M-8698 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8698, heretofore issued to R. C. Power,  
Palisade, Colorado be,  
and the same is hereby, declared cancelled effective September 16, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Ralph C. Horton  
Henry E. Zurling  
Commissioners

Dated at Denver, Colorado,

this 15th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

PANHANDLE DISTRIBUTING COMPANY, A )  
CORPORATION, P. O. BOX 298, SIDNEY, )  
NEBRASKA. )  
----- )

PERMIT NO. M-12204

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October 15, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Panhandle Distributing Company, A Corporation, Sidney, Nebraska

requesting that Permit No. M-12204 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12204, heretofore issued to Panhandle Distributing Company, A Corporation, Sidney, Nebraska be,

and the same is hereby, declared cancelled effective October 6, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Joseph C. Horton  
Henry E. Zurling  
Commissioners

Dated at Denver, Colorado,

this 15th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
JOHN H. DORR, P. O. BOX 995, CRAIG, )  
COLORADO. )  
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PERMIT NO. M-10004

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October 15, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from John H. Dorr,  
Craig, Colorado  
requesting that Permit No. M-10004 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10004, heretofore issued to John H. Dorr,  
Craig, Colorado be,  
and the same is hereby, declared cancelled effective August 31, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Joseph C. Horton  
Henry E. Zullinger  
Commissioners

Dated at Denver, Colorado,

this 15th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
ELDON B. MARVEL, STAR ROUTE, COLLBRAN, )  
COLORADO. )  
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PERMIT NO. M-4428

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October 15, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Eldon B. Marvel,  
Collbran, Colorado.

requesting that Permit No. M-4428 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4428, heretofore issued to Eldon B. Marvel,  
Collbran, Colorado be,

and the same is hereby, declared cancelled effective January 1, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Henry E. Zwick  
Commissioners

Dated at Denver, Colorado,

this 15th day of October, 1959.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

KIOWA TRADERS, INCORPORATED, P. O. )  
BOX 444, EADS, COLORADO. )  
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PERMIT NO. M-9054

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October 20, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Kiowa Traders, Inc.,  
Eads, Colorado

requesting that Permit No. M-9054 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9054, heretofore issued to Kiowa Traders, Inc.,  
Eads, Colorado \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective October 6, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Garth C. Norton  
Wm E. Zalkow  
Commissioners

Dated at Denver, Colorado,

this 20th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

GEORGE BROWN, DOING BUSINESS AS,  
"WILLOW BROOK DAIRY", 703 SHERIDAN  
BOULEVARD, DENVER 11, COLORADO.

PERMIT NO. M-9983

October 20, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from George Brown, doing  
business as, "Willow Brook Dairy", Denver 11, Colorado  
requesting that Permit No. M-9983 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9983, heretofore issued to George Brown, doing  
business as, "Willow Brook Dairy", Denver 11, Colorado be,  
and the same is hereby, declared cancelled effective October 7, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Joseph C. Horton  
Henry E. Zullinger  
Commissioners

Dated at Denver, Colorado,

this 20th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

EDGAR H. BRANDENBURG, 1108 BEACH  
STREET, FORT COLLINS, COLORADO.

PERMIT NO. M-11138

October 20, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Edgar H. Brandenburg,  
Fort Collins, Colorado

requesting that Permit No. M-11138 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11138, heretofore issued to Edgar H. Brandenburg,  
Fort Collins, Colorado be,  
and the same is hereby, declared cancelled effective August 1, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Norton  
Henry E. Zaulberg  
Commissioners

Dated at Denver, Colorado,

this 20th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

GEORGE W. ROSS, SR., NEDERLAND,  
COLORADO.

PERMIT NO. M-15912

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October 20, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from George W. Ross, Sr.,  
Nederland, Colorado  
requesting that Permit No. M-15912 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15912, heretofore issued to George W. Ross, Sr.,  
Nederland, Colorado be,  
and the same is hereby, declared cancelled effective October 6, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Wm. E. Zurling  
Commissioners

Dated at Denver, Colorado,

this 20th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

YANKEE DOODLE, INCORPORATED, 660 )  
KEARNEY STREET, DENVER 20, COLO- )  
RADO. )

PERMIT NO. M-1033

October 20, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Yankee Doodle, Inc.,  
Denver 20, Colorado

requesting that Permit No. M-1033 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1033, heretofore issued to Yankee Doodle, Inc.,  
Denver 20, Colorado be,

and the same is hereby, declared cancelled effective September 18, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Joseph C. Horton  
Henry E. Zalusky  
Commissioners

Dated at Denver, Colorado,

this 20th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

SOWER BROTHERS COMPANY, P. O. BOX )  
207, BAYFIELD, COLORADO. )  
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PERMIT NO. M-3696

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October 20, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Sower Brothers  
Company, Bayfield, Colorado

requesting that Permit No. M-3696 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3696, heretofore issued to Sower Brothers  
Company, Bayfield, Colorado be,

and the same is hereby, declared cancelled effective September 1, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Ralph C. Horton  
Wm. E. Zuley  
Commissioners

Dated at Denver, Colorado,

this 20th day of October, 195 9.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
HAROLD A. AND RUTH M. BURGESS, DOING )  
BUSINESS AS, "BURGESS MERCANTILE )  
COMPANY", MAIN STREET, BAILEY, COLO- )  
RADO. )  
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PERMIT NO. M-10070

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October 20, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Harold A. and Ruth M. Burgess, dba "Burgess Mercantile Company", Bailey, Colorado  
requesting that Permit No. M-10070 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10070, heretofore issued to Harold A. and Ruth M. Burgess, dba "Burgess Mercantile Company", Bailey, Colorado be,  
and the same is hereby, declared cancelled effective October 12, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Joseph C. Horton  
Henry E. Zalkow  
Commissioners

Dated at Denver, Colorado,

this 20th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
JOHN O'CONNELL COMPANY, DOING BUSINESS)  
AS, "JOHN O'CONNELL COMPANY", 311 )  
SOUTH FRONT STREET, STERLING, COLO- )  
RADO. )  
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PERMIT NO. M-1304

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October 20, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from John O'Connell Co.,  
doing business as, "John O'Connell Company", Sterling, Colorado  
requesting that Permit No. M-1304 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1304, heretofore issued to John O'Connell Co.,  
doing business as, "John O'Connell Company", Sterling, Colorado be,  
and the same is hereby, declared cancelled effective June 5, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Wm. E. Ziegler  
Commissioners

Dated at Denver, Colorado,

this 20th day of October, 195 9.



SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 53168 )

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROBERT C. NICHOLS, 1935 HOOKER )  
STREET, DENVER 4, COLORADO. )

PERMIT NO. B-5829

-----  
October 20, 1959  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-5289 be suspended for six months from October 12, 1959.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Robert C. Nichols, Denver 4, Colorado

be, and is hereby, authorized to suspend his operations under Permit No. B-5829 until April 12, 1960.

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 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

Joseph F. Negro  
Joseph C. Norton  
Henry E. Zink  
Commissioners

Dated at Denver, Colorado,  
this 20th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ELDON L. RATHBUN, P. O. BOX 48,  
PIERCE, COLORADO.

PERMIT NO. M-6130

October 20, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Eldon L. Rathbun,  
Pierce, Colorado  
requesting that Permit No. M-6130 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6130, heretofore issued to Eldon L. Rathbun,  
Pierce, Colorado be,  
and the same is hereby, declared cancelled effective July 27, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Henry E. Zullinger  
Commissioners

Dated at Denver, Colorado,

this 20th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

DEAN E. ABBOTT, 2412 - 6TH STREET, )  
GREELEY, COLORADO. )

PERMIT NO. M-4268

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October 20, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Dean E. Abbott,  
Greeley, Colorado  
requesting that Permit No. M-4268 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4268, heretofore issued to Dean E. Abbott,  
Greeley, Colorado be,  
and the same is hereby, declared cancelled effective August 1, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph J. Negro  
Joseph C. Norton  
Henry E. Zurling  
Commissioners

Dated at Denver, Colorado,

this 20th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ROGER B. CUTTING, DOING BUSINESS AS, )  
"CUTTING HARDWARE", RAINBOW BOULEVARD, )  
SALIDA, COLORADO. )  
----- )

PERMIT NO. M-11503

-----  
October 20, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Roger B. Cutting,  
doing business as, "Cutting Hardware", Salida, Colorado  
requesting that Permit No. M-11503 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11503, heretofore issued to Roger B. Cutting, doing  
business as, "Cutting Hardware", Salida, Colorado be,  
and the same is hereby, declared cancelled effective October 7, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Norton  
Henry E. Zaitsev  
Commissioners

Dated at Denver, Colorado,

this 20th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CARL E. SORLING, 237 STUART ) PERMIT NO. B-2679  
STREET, DENVER 19, COLORADO. )  
-----

-----  
October 20, 1959  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-2679 be further suspended for six months from September 26, 1959.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Carl E. Sorling, Denver 19, Colorado, be, and he is hereby, authorized to further suspend his operations under Permit No. B-2679 until March 26, 1960.

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 permits, said permit, without further action by the Commission, shall be revoked without the right to re-instate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
*Joseph F. Negro*  
*Ralph C. Horton*  
*Wm. E. Zalkow*  
Commissioners

Dated at Denver, Colorado,  
this 20th day of October, 1959.

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF)  
GOLDEN ASH AND TRASH SERVICE COM- )  
PANY, A COLORADO CORPORATION, P. O. )  
BOX 924, GOLDEN, COLORADO, FOR ) APPLICATION NO. 17362-Clarification  
CLARIFICATION AND DETERMINATION )  
OF BOUNDARIES OF PUC NO. 2605. )  
-----)

-----  
October 8, 1959  
-----

Appearances: I. H. Kaiser, Esq., Denver,  
Colorado, and  
George G. Christiansen, Esq.,  
Denver, Colorado, for  
Applicant;  
Robert McLean, Esq., Denver,  
Colorado, for Western Dis-  
posal Company and all other  
members of the Association  
similarly situated, inter-  
veners, as their interests  
may appear.

S T A T E M E N T

By the Commission:

The above-styled 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, September 15, 1959, and at the conclusion of  
the evidence, the matter was taken under advisement.

This is an application for clarification of authority  
under PUC No. 2605, which provides, in part, as follows:

"ashes, trash, topsoil, and fertilizer, in the  
City of Golden, Colorado, and a radius of five  
miles thereof; garbage, in the area described as:  
the city of Golden, Colorado, and a radius of  
five miles from the center thereof."

At the hearing, no evidence was adduced on behalf of appli-  
cant, but it was stipulated that the original authority was granted  
in the Year 1953, and the Corporate Limits of the City of Golden were  
considerably smaller than they exist at the present time. The

authority was to be extended to include garbage within a radius of five miles from the center of the City of Golden, excluding a specifically-described area.

On October 29, 1958, the Commission transferred PUC No. 2605, as extended, to the present owners thereof.

On June 15, 1959, the applicant was advised by the Supervisor of the Complaint and Investigation Division of this Commission that the applicant was picking up trash at Busley's store, at Sixth and Garrison, which was beyond a radius of five miles of the City Limits of Golden, as of the date when the first authority under said PUC No. 2605 was issued, in 1953.

The applicant contends that the radius of five miles of Golden is continually measured from the Corporate Limits as they may exist at any time in the future, which would, in effect, mean an expansion of the authority.

The interveners, on the other hand, contend that the authority is restricted to a radius of five miles of the City of Golden, as of the date the original certificate was granted.

In endeavoring to interpret this certificate, the Commission is cognizant of the fact that ash and trash haulers occupy a unique situation. The service rendered is of a local cartage nature, not restricted to serving commercial enterprises exclusively, but the authority and duty are extended to serve everyone, which could include numerous residences. In other words, there is a density of potential customers that does not normally exist with other carriers. In view of this, we feel that we must view ash and trash haulers in a different light than other carriers.

In the instant case, no evidence was offered by the applicant to show that it was actually serving indiscriminately in the area beyond the five-mile radius of the City Limits of the City of Golden as they existed when this certificate was issued. The only evidence is one letter, evidencing service to one customer in this area.

The Commission has no evidence before it to determine whether or not the applicant, in seeking this interpretation, would be serving an existing need and the requirements of the citizens of the area, or whether its activities are basically and primarily restricted to the area contemplated when the certificate was originally issued. We do not make any determination of the meaning of this certificate, for the reason that we have not been furnished sufficient evidence to do so.

In view of this, we must deny the application for an interpretation.

### F I N D I N G S

#### THE COMMISSION FINDS:

That there is no evidence upon which this Commission can make a determination of the issues herein involved.

That the instant application should be denied.


### O R D E R

#### THE COMMISSION ORDERS:

That Application No. 17362 be, and the same hereby is, denied, for the reason there is no evidence upon which this Commission can make a determination of the issues herein involved.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Joseph F. Nigro  
Don E. Paulsen  
Commissioners.

COMMISSIONER RALPH C. HORTON  
NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

ea



original

(Decision No. 53174)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE OF )  
VARIOUS CORPORATIONS, PARTNERSHIPS, )  
AND/OR PERSONS TO COMPLETE APPLICA- )  
TIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL (PRIVATE) CARRIERS BY )  
MOTOR VEHICLE IN THE STATE OF )  
COLORADO. )  
- - - - - )

- - - - -  
October 19, 1959  
- - - - -

S T A T E M E N T

By the Commission:

The records of the Commission show that the corporations, partnerships, and/or persons listed in the Order part of this decision have paid to the Commission a filing fee for a Commercial (private) Carrier Permit to operate over the highways of the State of Colorado.

The records of the Commission further show that said applicants have failed to complete their applications in one or more of the following particulars as required by the Rules and Regulations Governing Commercial Carriers by Motor Vehicle in Colorado:

- (a) Failure to file completed application.
- (b) Failure to file request for cab cards.
- (c) Failure to file, or have filed, certificate of insurance.

The records of the Commission further show that all of the applicants listed in the Order part of this decision have been duly notified by the Commission of their failure to comply with one or more of the above particulars.

F I N D I N G S

THE COMMISSION FINDS:

That the Statement should be made a part of these Findings.

That all of said proceedings heretofore instituted by the corporations, partnerships, and/or persons listed in the Order part of this decision should be dismissed.

ORDER

THE COMMISSION ORDERS:

That each of the application proceedings heretofore commenced by the following corporations, partnerships, and/or persons before this Commission to obtain authority to operate as a Commercial (private) carrier by motor vehicle over the highways of the State of Colorado, be, and the same hereby are, dismissed:

Eads Gas & Appliance	Eads, Colorado
Eads Hide & Wool Co. Inc.	Box 461, Amarillo, Texas
Clemens Bo. Eakins, Jr.	1629 W. 12th St., Pueblo, Colorado
Ebert Lumber Co.	7524 S. Broadway, St. Louis, Missouri
Eckholt Builders Supply	Box 3058, Durango, Colorado
Eckley Truck Line	Eckley, Colorado
Economy Wholesale Meat Co.	1410 Market, Denver 2, Colorado
Floyd A. Edmonds	Benkelman, Nebraska
Egan Livestock	New London, Wisconsin
Paul P. Egoroff	1344 Franklin, Denver 18, Colorado
Alex Eisenburg	6200 W. Ohio, Denver 15, Colorado
Eighmy DeSoto-Dodge-Plymouth	510-20 E. 4th St., North Platte, Nebr.
Refer Eliason Co.	Hartford, Michigan
Nenorio Elizondo	102½ Bradford c/o Tripley Corp, Pueblo, Colo.
Jerry Elliott	Norwood, Colorado
Ellison Sales Co.	Rt 1 Box 4204, Las Vegas, New Mex.
Wayland R. Ellis	Rt 2, Las Animas, Colorado
Empire Linoleum & Rug Co.	723 Main St., Longmont, Colo.
E. L. Engles	Sapulpa, Oklahoma
Enterprise Trucking Co.	Box 13, Organ, New Mexico
Gilbert L. Espinoza	3921 Walnut, Denver 5, Colo.
Estes Welding Service	S. Oak St., Cortez, Colorado
Evergreen by the Lake	Evergreen, Colorado
W. O. Evrette	Atmore, Alabama
Factor's	615 S. Greeley Highway, Cheyenne, Wyo.
Farmer's Produce Market	1718 E. 10th St., Amarillo, Texas
Carl Fairchild	Burley, Idaho
Felix Farino	1640 Cedarwood Lane, Pueblo, Colorado
Leslie K. Farmer	Box 91, Frisco, Colorado
Farmers Lumber & Supply	1310 N. Cliff, Sioux Falls, So. Dakota
Gennie Farris	Faucett, Missouri
Federal Liquors	3777 Federal, Denver 11, Colorado
Howard Feigt	1921 W. Hampden, Englewood, Colorado
Lee Fenton	Box 11, Holcomb, Kansas
Herschel C. Fipps	Box 442, Hugo, Colorado
R. E. Fisher	Box 131, Laramie, Wyoming
Fixtures, Inc.	2930 S. Fox, Englewood, Colorado
J. C. Fletcher	Box 176, Weatherford, Oklahoma
Flexicor Co. of Colorado	4985 York St., Denver 16, Colorado
Arthur Folks	5825 York St., Denver 16, Colorado
Foot Hills Bldg. Supply	442 Maxwell, Boulder, Colorado
Ray Ford	Altus, Oklahoma
Mack Forrester	Box 935, Durango, Colorado
Charles R. Foster	827 Elati St., Denver 4, Colorado
Dan W. Foster	1107 Montrose Ave., Colorado Springs, Colo.
Foster & Lishman	114 Llangolin Lane, Natchez, Mississippi
R. S. Foster	Rt 1, Box 201, Salida, Colorado
4-State Fence Co.	6120 E. 60th Pl., Denver 16, Colo.
Foster Service Station	Main & Edison, Alamosa, Colorado
Norman Fox Auto	2027 W. Forest Home Ave., Milwaukee, Wisc.

Franks Fruit Market  
Fremont Construction Co

Frontier Hybrids, Inc.  
Just Jack Frost  
Fry's New & Used Furniture  
Yose Joe Fujita  
Ervin & Helen Fulbright  
Arthur V. Gallegos

Gambles Authorized Dealer Store, Lafayette, Colorado  
Adolph Garcia  
Amado and Amadito Garcia  
Ernest Garcia  
Leota Garcia  
Prudencio Garcia  
B. H. Garland

Garner Implement Co.  
Ivan F. Garner  
Bill Garrett  
Garrett & West  
Leslie Garrison

Theodore Garrison, Jr.  
General Airplane Service  
George's Car Lot  
Sammy C. George

LaVerne E. Gereaux  
Clarence L. Getman  
Howard G. Gibson  
Gilbert Tractor & Impl. Co  
Given Mfg. Co.

Frank & Loretta Glass  
John F. Glass

Godfrey Bros. Grain  
John Goetz

Golf Acres Pharmacy  
Golden Burro

Edwin A. Gomora  
Edward A. Gonzales

Jose R. Gonzales  
Ray Gonzales & Nacor Lujan

J. A. Gooch  
Gorsick Mercantile  
Goss Motor & Trailer Sales  
Granby Impl. Co.

E. Paul Graves  
Marcus M. Green  
Millie E. Green  
Green Valley Market

Marvin E. Greene  
Groblebe & Manos

Orie Groenenboom  
O'Dell Grooms

Larry E. Groves  
Jerry R. Gruber  
Gulf Trailer Sales

Jody Gunder  
Kenneth Gunner

Bill J. Gunter  
Ray Gunter

Ismiel A. Gurule  
Foster Gutierrez

H & H Produce  
H & L Landscaping

Hacking Furniture Co.

1200 E. 5th, Plainview, Texas  
Box 230, c/o John Stump witcher,  
Canon City, Colorado

Scott City, Kansas  
5501 Morrison Rd., Denver 14, Colo.  
400 1st, Ault, Colorado

Rt 1 Box 289B, Pueblo, Colorado  
221 E. 8th, Leadville, Colorado

Box 122, Blackhawk, Colorado  
2737 Stout St., Denver 5, Colo.

116 Sproul, Walsenburg, Colo.  
1725 Quillian Ave, Pueblo, Colo.

1701 5th St., Greeley, Colo.  
2119 W. 31st Ave., Denver 11, Colo.

2045 E. 4th, Pueblo, Colorado  
Spur, Texas

General Delivery, Florence, Colo.  
Lincoln, Akrmnasas

South Fork, Colorado  
Bridger, Montana

P. O. Box 234, Alden, Iowa  
P. O. Box 837, Sheridan, Wyoming

273i San Rafael SE, Albuquerque, N. M.  
46 W. 12 S., Orem, Utah

Gen. Delivery, Lyons, Colo.  
Dillon, Colorado

226 Main, Ordway, Colorado  
Booneville, Akrmnasas

3301 Fruitland Ave., Los Angeles, Calif.  
407 16th St., Loveland, Colorado

Rt 3 Box 558, Ft. Collins, Colo.  
Soda Springs, Idaho

Box 54, Henderson, Colorado  
1430 N. Hancock, Colo. Springs, Colo.

Cripple Creek, Colorado  
Rt 1, Louisville, Colorado

1545 Clay St., Denver 4, Colo.  
Rt 2 Box 75A, Platteville, Colo.

Box 125, Longmont, Colorado  
209 Christian St., McKinney, Texas

1200 S. Santa Fe, Pueblo, Colo.  
Box 1017, Grants, New Mexico

Box 106, Granby, Colorado  
Box 815, Storm Lake, Iowa

G.D. Box 135, Garvin, Oklahoma  
908 Sycamore, Ft. Collins, Colo

532 W. Main, Vernal, Utah  
Rt 1, Ft. Morgan, Colo.

Box 446, Norwood, Colorado  
Rt 2 Yoder, Colorado

Carruthersville, Missouri  
Rt 2, Ft. Morgan, Colo.

Security Village, Colorado  
2623 S. Wayside, Houston, Texas

112 S. 3rd St., Basin, Wyoming  
2008 Blake, Denver 5, Colorado

Box 331, San Saba, Texas  
San Saba, Texas

2308 W. 13th St., Pueblo, Colorado  
Rt 2, Box 405, Berthoud, Colorado

Rt 5, Athens, Tennessee  
8575 N. Washington, Denver 29, Colo.

39 S. Vernal Ave., Vernal, Utah

Haeffner Dairy  
 Hagaman Appliance Store  
 John Hamilton  
 Charlie D. Hammons  
 Wilford H. Hansen  
 Harchelroad Chevrolet Co  
 Moses Harper  
 Vern Harris  
 Edna S. Harrison  
 Marie Harrison  
 William H. Harrison  
 Thomas W. Hart Co.  
 Alfred R. Hartman  
 G. D. Hastings  
 Charles Hatcher  
 Doyle L. Hattig  
 Hays Cut Stone & Veneer  
 Haythorn Farms Inc.  
 Norman Hegemann  
 Hensley Equipment  
 Hereford Implement Co.  
 Samuel Herrera  
 T. Vern Heuschkel  
 Fred W. Hickey  
 James F. Higgins

Rt 1 Box 343, Golden, Colo.  
 330 Main, Canon City, Colo.  
 Troup, Texas  
 Reservoir Dr., Box 5, Pueblo, Colo.  
 215 W. 500 S., Sandy, Utah  
 Wauneta, Nebraska  
 2805 Glenarm Pl., Denver 5, Colo.  
 Weston, Colorado  
 Harrison's Corner, Granby, Colo.  
 1138½ W. Main, Oklahoma City, Okla.  
 Granby, Colorado  
 3935 Indian Hills, Ft. Wayne, Indiana  
 R. D. #1, Palmyra, Pennsylvania  
 1536 SW 28th, Oklahoma City, Okla.  
 Box 1340, Greeley, Colorado  
 Laurel, Nebraska  
 Box 42, Hays, Kansas  
 Eaton, Colorado  
 1117 10th St., Greeley, Colorado  
 San Leandro, California  
 331 Sampson St., Hereford, Texas  
 903 Lipan, Denver 4, Colorado  
 Carbondale, Colorado  
 5602 Kootenia, Boise, Idaho  
 2334 E. Boulder, Colo. Springs, Colo.

This Order shall become effective ten days from the date  
 hereof.

THE PUBLIC UTILITIES COMMISSION  
 OF THE STATE OF COLORADO

*Joseph F. Nigro*  
*Ralph C. Holton*  
*Sam E. Culver*  
 Commissioners.

Dated at Denver, Colorado,  
 this 19th day of October, 1959.

ea

original

(Decision No. 53175)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE OF )  
VARIOUS CORPORATIONS, PARTNERSHIPS, )  
AND/OR PERSONS TO COMPLETE APPLICA- )  
TIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL (PRIVATE) CARRIERS BY )  
MOTOR VEHICLE IN THE STATE OF COLO- )  
RADO. )  
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-----  
October 19, 1959  
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S T A T E M E N T

By the Commission:

The records of the Commission show that the corporations, partnerships, and/or persons listed in the Order part of this Decision have paid to the Commission a filing fee for a Commercial (private) Carrier Permit to operate over the highways of the State of Colorado.

The records of the Commission further show that said applicants have failed to complete their applications in one or more of the following particulars as required by the Rules and Regulations Governing Commercial Carriers by Motor Vehicle in Colorado:

- (a) Failure to file completed application.
- (b) Failure to file request for cab cards.
- (c) Failure to file, or have filed, certificate of insurance.

The records of the Commission further show that all of the applicants listed in the Order part of this Decision have been duly notified by the Commission of their failure to comply with one or more of the above particulars.

F I N D I N G S

THE COMMISSION FINDS:

That the Statement should be made a part of these Findings.

That all of said proceedings heretofore instituted by the corporations, partnerships, and/or persons listed in the Order part of this Decision should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That each of the application proceedings heretofore commenced by the following corporations, partnerships, and/or persons before this Commission to obtain authority to operate as a Commercial (private) carrier by motor vehicle over the highways of the State of Colorado, be, and the same hereby are, dismissed:

Vernon W. Shafer	1229 10th St., Greeley, Colorado
J. B. Shaw	122 Dakota, Chickasha, Oklahoma
Donald Shields	22 Cherry St., Clayton, New Mexico
Billie R. Shelton	2500 15th, Vernon, Texas
Shelton Mills	P. O. Box 7, Roosevelt, Utah
Robert Shepard	Pine, Colorado
William H. Shively	709 S. Buffalo, Yuma, Colorado
Shot Rod Wrecking Yard	2373 River Rd., Grand Junction, Colo.
Sidney L. Shoup	Cedaredge, Colorado
G. W. Shultz	General Delivery, Mary Neal, Texas
Shumway Brothers	Blanding, Utah
Sidder's Furniture	946 S. Burlington, Hastings, Nebraska
Sidney Implement Co.	Sidney, Nebraska
Silvaire Aircraft Co.	Box 719, Ft. Collins, Colorado
Floyd Simmerman	7019 S. 39th Ave., Omaha, Nebraska
Harold C. Skaggs	721 Elati, Denver, Colorado
Chester George Skeers	220 Vista Grande, Grand Junction, Colo.
Slavens Hardware & Lumber Co.Inc.	Blanding, Utah
Kenneth Mitchell Sloan	Box 446, Hot Sulphur Springs, Colorado
Slusher's Greenhouse	423 W. 3rd St., Leadville, Colorado
Buell E. Smith	Glendo, Wyoming
Coleman Smith	P. O. Box 297, Ft. Collins, Colorado
Smith & Fisher	Box 391, Nuclea, Colorado
Smith Brothers Cabinet Co.	737 Sunnyland Rd., Canon City, Colorado
O. B. Smith	Route 3, Grand Junction, Colorado
Robert T. Smith	Star Route, Bridgeport, Texas
J. R. Smithson	Vernon, Texas
Smithy's Welding & Construction	Box 1333, Cortez, Colorado
Leonard Snelling	717 S. Ash, Yuma, Colorado
John E. Snyder	Horace, Kansas
Carl Soderstrom	Box 173, Bailey, Colorado
Norman D. Southard	General Delivery, Cortez, Colorado
Southern Colorado Dairy Co.	225 S. Commercial St., Trinidad, Colo.
Southwest Mobile Homes No. 2	Blanding, Utah
William C. Souza	Box 808, Manitou Springs, Colorado
James Martin Span	2000 Marine St., Boulder, Colorado
Robert N. Spaulding	216 E. Myrtle, Ft. Collins, Colorado
Jack Spitzer	472 Glen View Ct., Colorado Springs, Colo.
Standard Gilsonite Co.	Roosevelt, Utah
Standard Oil Co.	301 W. 1st St., Kimball, Nebraska
Bessie B. Stanley	General Delivery, Derby, Colorado



Dan L. Stanley  
 James Stanley  
 James C. Stark  
 Earl Starbuck  
 James L. Steele  
 Ray H. Stevens  
 Adam Stieben  
 M. D. Stogsdill  
 Robert T. Stokes  
 Ben Stone  
 W. C. Stoneburner  
 Raymond Storey  
 C. J. Stout  
 Lloyd Eugene Stover  
 Strasburg Auto Salvage  
 Lawrence Stubbs, Jr.  
 Ann Sturdevant  
 Duane & Dorothy Summers  
 Sun Supply Co.  
 Jesse C. Swank  
 Sweetheart Sandwich Service  
 Max & Leo Tafoya  
 Tony Tafoya  
 Chas. T. Tally, Jr.  
 Frank Taylor  
 Lester Guy Taylor  
 Minor J. Taylor  
 Tennessee Traders, Inc.  
 Tex's Oil Co.  
 Thick & Thin Lumber Co.  
 Paul E. Thomison  
 Allen Hale Thompson  
 William H. Tilley  
 Tiny's Cash Auction  
 Tiny Tim Ice Cream Co.  
 Vernon W. Tittle  
 Manuel S. Torrez  
 Trader Horn Trailer Sales  
 Trailer Mart  
 Alvie R. Trammell  
 Transit Mix Concrete Co.  
 Treasure Trailer Sales  
 William J. Tregay  
 Tro-State Billard Co.  
 Trimmer Produce Co.  
 Jose S. Trujillo  
 Joseph Dale Trujillo  
 Charles Turano  
 Bill Turner  
 Turner Auto Wrecking Co.  
 R. J. Turpin  
 Allan Tuttle  
 200 Motors  
 Typewriter Emporium  
 Jose J. Ulibarri  
 Unger Service & Garage  
 United Building Stone Co., Inc.  
 U. S. Art Marble Co.  
 University Motors, Inc.  
 Uranium Ventures, Inc.  
 Vagabond Trailers Sales


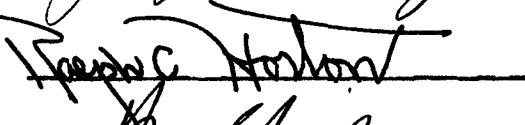

P. O. Box 215, Erie, Colorado  
 General Delivery, Monument, Colorado  
 Ridgeway, Colorado  
 410 Montezuma Rd., Benton Harbor, Mich.  
 Box 258, Vernal, Utah  
 324 Rosevale Rd., Grand Junction, Colo.  
 395 Zenobia, Denver 19, Colorado  
 Box 273, Levelland, Texas  
 P. O. Box 81, Antonito, Colorado  
 527 McCarty St., Houston, Texas  
 607 Thompson, Boundbrook, New Jersey  
 Box 204, Duchesne, Utah  
 12th & Elm, Rocky Ford, Colorado  
 720 River, Canon City, Colorado  
 Box 154, Strasburg, Colorado  
 Beryl, Utah  
 Rt. 1, Box 154, Roanoke, Texas  
 O'Neill, Nebraska  
 1445 E. Thomas Rd., Phoenix, Arizona  
 465 Perry, Denver 4, Colorado  
 512 Roy Rd., Loveland, Colorado  
 808 W. 4th Ave., Denver 23, Colorado  
 General Delivery, Avondale, Colorado  
 Garvin, Oklahoma  
 919 Valley, Trinidad, Colorado  
 Box 722, LeMarque, Texas  
 205 S. Park Rd., Spokane, Washington  
 Box 2241 DeSoto Station, Memphis, Tenn.  
 Buffalo Creek, Colorado  
 705 W. Pinion, Farmington, New Mexico  
 Route 2, Box 2, Pueblo, Colorado  
 111 Mountain, Berthoud, Colorado  
 Route 1, Box 118BB, Florence, Colorado  
 Otis, Colorado  
 1686 E. 46th, Denver 16, Colorado  
 Johnstown, Colorado  
 Box 31, Longmont, Colorado  
 2945 Chinden Blvd., Boise, Idaho  
 526 S. 99 Highway, Modesto, California  
 Rt. 3, Box 165, Colorado Springs, Colo.  
 P. O. Box 181, Colorado Springs, Colo.  
 7401 Central, N.E., Albuquerque, N.Mex.  
 Box 362, Nederland, Colorado  
 113 E. Mill, Colorado Springs, Colorado  
 Route 1, Palisade, Colorado  
 5133 N. Broadway, Denver 16, Colorado  
 130 Stallo St., Monte Vista, Colorado  
 Box 265, Palisade, Colorado  
 Estes Park Road, Loveland, Colorado  
 816 S. 2nd, Canon City, Colorado  
 Rt. 1, Box 250, Colorado Springs, Colo.  
 1312 Carolina St., Longmont, Colorado  
 220 E. 2nd S., Salt Lake City, Utah  
 812 15th St., Denver 2, Colorado  
 1407 Ross Ave., Alamosa, Colorado  
 1001 San Juan, La Junta, Colorado  
 762 Alpine, Boulder, Colorado  
 Carthage, Missouri  
 1500 Pearl, Boulder, Colorado  
 105 Park Dr., Grand Junction, Colorado  
 Star Rt. A., Box 550, Spenard, Alaska

Valley Aggregate  
Valley Floral  
Valley Produce  
Fount Van Beber  
N. E. Vance Radio & TV Service  
Lester Van Dyke  
Walter Vannoy  
Richard Van Riper  
Richard L. Van Riper  
Henry Vasquez  
Vehicles, Inc.  
Robert Venter  
Vern's Trailer Sales  
Fidel V. Vialpando  
Joe T. Vialpando  
Nash & Fred Vigil  
Miguel G. Villa  
Parlo Viremontis  
Voss Elevator  
John R. Vust

Rt. 2, Box 16A, Pueblo, Colorado  
309 Colorado Avenue, La Junta, Colo.  
RFD, Penrose, Colorado  
6481 E. 53rd, Denver 16, Colorado  
443 E. 1st, Salida, Colorado  
Route 1, Fruita, Colorado  
Route 4, Kearney, Nebraska  
941 Atchison, Trinidad, Colorado  
Weston, Colorado  
Route 1, Lafayette, Colorado  
Box 257, Granby, Colorado  
Rich Hill, Missouri  
6920 N. E. Union, Portland, Oregon  
Box 104, Fountain, Colorado  
2205 W. 17th, Pueblo, Colorado  
Valdez, Colorado  
Wiggins, Colorado  
5503 Montoya Rd., El Paso, Texas  
Sibley, Iowa  
c/o Voss Elevator, Sibley, Iowa

This Order shall become effective ten days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 19th day of October, 1959.



original

(Decision No. 53176)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE OF )  
VARIOUS CORPORATIONS, PARTNERSHIPS, )  
AND/OR PERSONS TO COMPLETE APPLICA- )  
TIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL (PRIVATE) CARRIERS BY )  
MOTOR VEHICLE IN THE STATE OF )  
COLORADO. )  
- - - - - )

- - - - -  
October 19, 1959  
- - - - -

S T A T E M E N T

By the Commission:

The records of the Commission show that the corporations, partnerships, and/or persons listed in the Order part of this decision have paid to the Commission a filing fee for a Commercial (private) Carrier Permit to operate over the highways of the State of Colorado.

The records of the Commission further show that said applicants have failed to complete their applications in one or more of the following particulars as required by the Rules and Regulations Governing Commercial Carriers by Motor Vehicle in Colorado:

- (a) Failure to file completed application.
- (b) Failure to file request for cab cards.
- (c) Failure to file, or have filed, certificate of insurance.

The records of the Commission further show that all of the applicants listed in the Order part of this decision have been duly notified by the Commission of their failure to comply with one or more of the above particulars.

F I N D I N G S

THE COMMISSION FINDS:

That the Statement should be made a part of these Findings.

That all of said proceedings heretofore instituted by the corporations, partnerships, and/or persons listed in the Order part of this decision should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That each of the application proceedings heretofore commenced by the following corporations, partnerships, and/or persons before this Commission to obtain authority to operate as a Commercial (private) carrier by motor vehicle over the highways of the State of Colorado, be, and the same hereby are, dismissed:

Alfred and Bernice Abeyta	421 Sutley St., Center, Colorado
Ace Traders & Buyers	General Delivery, Aztec, New Mexico
Airhart Ash & Trash	913 Prospect Pl., Manitou Springs, Colo.
Ashael Allen & Son	Rt. 3, Box 300, Farmington, New Mexico
American Buyers Coor'd.	P. O. Box 1352, Seattle 2, Washington
Fowler Anderson Mining Co.	329 Rudd Ave., Canon City, Colorado
Frank J. Anderson	6320 Olive Street, Derby, Colorado
Animas Concrete	Box 92, Durango, Colorado
Donald W. Annis	8580 Hope Ct., Denver 16, Colorado
Frank Archuleta	Pagosa Springs, Colorado
Salvador Archuleta	P. O. Box 15, Rowe, New Mexico
Arkansas Valley Aggregate Co.	516 Reading Ave., Pueblo, Colorado
Willie L. Armstrong	Dolores, Colorado
Leona I. Ash	318 E. 31st, Apt. 2, Billings, Montana
W. M. Ball	2226 N. Walnut, Colorado Springs, Colo.
D. C. Barker	411 25th St., Denver 5, Colorado
Ivan M. Barrymore	54 S. Federal, Denver 19, Colorado
Gleann Baughman	Rigby, Idaho
Charles F. Beagle	1315 E. 13th Ave., Denver 18, Colorado
Beaver Mesa Uranium, Inc.	1129 Colo. Ave., Grand Junction, Colo.
Alvert Lee Bell	General Delivery, Montrose, Colorado
Lloyd W. Belt	Rt. 1, Glenwood, Iowa
J. M. Bennett	1508 32nd, Wichita Falls, Texas
William E. Blakley	Rt. 1, Box 283, Broomfield, Colorado
Bob's Novelties	1115 N. Chestnut, Colo. Springs, Colo.
V. W. Brock	Box 651, Cortez, Colorado
Weir T. Brooks	1801 Spring St., Jeffersonville, Indiana
Robert O. Brown	918 Carson Ave., La Junta, Colorado
Harold A. Buchman	Kremmling, Colorado
Reducindo Bustamante	2045 W. 12th Ave., Denver 4, Colo.
Fred C. Butcher	2705 S. Santa Fe, Englewood, Colorado
Webster Hodgood Butcher	729 E. Santa Fe, Colo. Springs, Colo.
C & B Electric Co.	525 Bent, Las Animas, Colorado
C & R Metal Co.	1570 W. Alameda, Denver 23, Colorado
Jess Cagle	Decatur, Alabama
G. G. Callahan	Roswell, New Mexico
Herbert O. Campbell	Oklahoma City, Oklahoma
Fred Carbajal, Jr.	2512 Edith, Pueblo, Colorado
M. A. Carpenter	Reform, Alabama
James B. Carter	Center, Texas
Ethel Casteel	Box 353, Fountain, Colorado
Dale W. Castle	576 S. Eliot, Denver 19, Colorado
N. A. Caughron	Box 74, Antonito, Colorado
Bill Chance Co.	510 Chatfield, Security, Colorado
Cherne Construction	801 Curtis, Denver 4, Colorado

City Motors	729 Broadway, Denver 3, Colorado
Charles J. Clawson	950 E. 4th, Loveland, Colorado
Climatic Paints Inc.	10 E. Kiowa, Colo. Springs, Colo.
George C. Coffin	Amarillo, Texas
James Collins	516 Railroad St., Durango, Colorado
Colorado Springs Auto Auction	E. Highway at 3100 Block, Colo. Springs, Colo.
John Colvin	Richfield, Utah
Robert Conner	Box 91, Flagler, Colorado
Carl B. Cook	2951 14th St., Boulder, Colorado
Howard Cook	Ft. Morgan, Colorado
Cronin Trailer Sales	2485 Highway W.6, Grand Junction, Colorado
Paul Dale	General Delivery, Monticello, Utah
Daniels Sand Co.	444 E. Costilla St., Colo. Springs, Colorado
Fred Dansel	General Delivery, Montrose, Colorado
T. D. Davis	Corsicana, Texas
Sam Diaz	1611 Maryland, Pueblo, Colorado
Gordon Dillard	2050 North Ave., Grand Junction, Colorado
Loyd Douglas	General Delivery, Gunnison, Colorado
Dove Creek Plumbing & Heating	Box 197, Dove Creek, Colorado
Harry L. Drinning	Dallas, Texas
Raymond Duncan	General Delivery, Cortez, Colorado
Dwight S. Dunn	619 14th St., Greeley, Colorado
Ellison's Grocery & Market	708 River, Canon City, Colorado
Jacob Cecil Engle	6100 E. 64th, Derby, Colorado
George A. Fetzner, Inc.	Newton Sussex Rd., Augusta, Maine
Henry C. Fick	Olney Springs, Colorado
Harvey R. Field	945 Newark, Aurora, Colorado
Floorcrafters	1117 Grace Avenue, La Junta, Colorado
Florence Tire & Supply Co.	112 Front St., Pueblo, Colorado
Forest Sales & Service	6431 E. 72nd Ave., Derby, Colorado
James L. Fredrick	General Delivery, Rand, Colorado
L. C. Fuehring Produce	7130 Madison Ave., Hammond, Indiana
J. M. Fuller	609 Woodlawn Ave., Canon City, Colorado
Gallop Sales Co.	203 W. 19th, Pueblo, Colorado
Archie Galvez	1404 Alco, Pueblo, Colorado
Gillette & Chevalier	703 Central West, Great Falls, Montana
Gold "N" Nugget	3121 West Colo. Ave., Colo. Springs, Colo.
D. C. Gowen	Dallas, Texas
Greeley Merchandise Co.	510 11th St., Greeley, Colorado
Gunnison River Sand & Gravel Co.	714 S. 6th, Grand Junction, Colorado
Harmon Sand & Gravel Co.	804 W. Arrington St., Farmington, N. Mex.
Dale Hart	Rt. 3, Longmont, Colorado
Donald R. Haun	Box 124, Evans, Colorado
Arthur Hyman	1039 E. 34th St., San Diego, California
Industrial Sheet Metal Prod. Corp.	1320 11th St., Denver 4, Colorado
Inland Lumber Corp.	Vernal, Utah
Jerry's Transfer	Minneapolis, Minnesota
K C Auto Parts & Repair	N. on U. S. 85-87, Pueblo, Colorado
B. T. Kaiser Co.	P.O. Box 1531, Grand Junction, Colorado
Charles Kelly	4701 W. 6th Ave., Denver 4, Colorado
Paul S. Knowlton	4417 S. 2990 East, Salt Lake City, Utah
L & O Sand & Gravel	Rt. 1, Bayfield, Colorado
Hal Landre Mobil Homes	Portland, Oregon
William T. Lay	366 E. Madison, Phoenix, Arizona
Lee Radio & Television	Buena Vista, Colorado
Lewis Sand & Gravel	Rt. 1, Ignacio, Colorado
London Mines Co.	Ouray, Colorado
Lowry Meat Co.	Rt. 1, Salida, Colorado
William Lucero	865 Zuni, Denver 4, Colorado

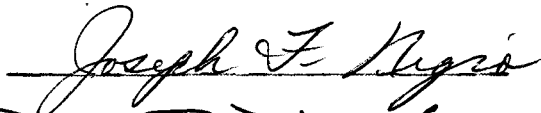
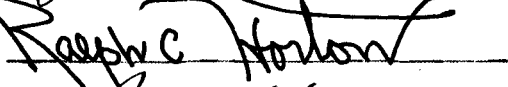

Bryan McCrory	4608 5th St.N.W., Albuquerque, N. Mexico
M & M Transportation Co., Inc.	Box 505, Freeman, South Dakota
Sam Maez	6101 E. 61st, Derby, Colorado
Arthur J. Manginelli	General Delivery, Pagosa Springs, Colo.
Harvey Mann & Co.	422 S.W. Temple, Salt Lake City, Utah
Eddie Manning	Las Animas, Colorado
Sherman M. Marrs	Box 236, Center, Colorado
J. W. Martin	2340 E. Polk, Phoenix, Arizona
Mose Martinez Grocery	731 8th Street, Alamosa, Colorado
Aurelio Mier	Montrose, Colorado
Moe's Texaco	101 North Ave., Grand Junction, Colorado
Herbert E. Moore	Box 135, Hasty, Colorado
Wilbur E. Morehead	6802 N. Lowell Blvd., Denver 11, Colorado
Roy Norris	Lubbock, Texas
Northern Auto Supply, Inc.	323 Main, Longmont, Colorado
Norton Motor Co.	Norton, Kansas
Ann Novak	4795 Logan St., Denver 16, Colorado
Frank Ortega	1290 Nile, Golden, Colorado
Otoole Bit Machine Co.	Cortez, Colorado
Alfred J. Paiz	Rt. 3, Montrose, Colorado
L. R. Parks	2463 Ingalls, Denver 15, Colorado
H. L. Philamalee	General Delivery, Pine Bluffs, Wyoming
Pipkin & Kimbrough	Midland, Texas
C. D. Pittman	Atlanta, Georgia
Kenneth D. Polley	Loveland, Colorado
O. L. Prentice	301 Park St., Ft. Collins, Colorado
V. E. Rash	Corsicana, Texas
May Rath	Dodge City, Kansas
W. H. Recker	2030 S. Lowell, Denver 19, Colorado
Virgil N. Redd	General Delivery, Salida, Colorado
R. W. Reddin	Reform, Alabama
Marion R. Reece	Grand Lake, Colorado
Rifle Sign Co.	Rifle, Colorado
Robinson Gas & Appliance	86 N. 8th, Brighton, Colorado
Don L. Rodgers	835 Santa Clara, Grand Junction, Colorado
Rock Creek Canyon Nursery	Lytle Star Route, Colo. Springs, Colorado
S & S Sales & Service	1327 19th Street, Casper, Wyoming
Jack Shaw	Austin, Texas
Bernard E. Shelton	Livermore, Colorado
Ships & Power, Inc.	N. W. 27th Ave., Miami, Florida
Sleep-Aire Mattress Co.	210 Broadway, Denver 3, Colorado
Iva Mary Slensker	3805 W. Virginia, Denver 19, Colorado
Glenn W. Sloan	1171 2nd Ave., Canyon, Texas
Orville Dean Smith	860 Oakland, Denver 18, Colorado
Wm. J. Smith	4953 Raleigh Street, Denver 12, Colorado
South Park Mining & Milling Inc.	Alma, Colorado
George M. Stanko	General Delivery, Erie, Colorado
Steve Smitty	Box 184, Erie, Colorado
Leonard Teague	2802 Humboldt, Denver 5, Colorado
Thriftway Shop	232 Main, Longmont, Colorado
Tom's Standard Service	260 North Ave., Grand Junction, Colorado
Toy House Distributors	821 N. 21st Ave., Phoenix, Arizona
Trinidad Electric & Appliance Co.	161 Plum, Trinidad, Colorado
Carl Trostel Lumber Co.	351 Linden, Ft. Collins, Colorado
Utah Auto Auction, Inc.	6580 N. Highway 91, Salt Lake City, Utah
Valdez Brothers	Trinidad, Colorado
Valley Distributing Co.	1605 Bassett Ave., El Paso, Texas
Valley Tire Service	Fountain, Colorado
Eduvigen & Benny Velasquez	General Delivery, Saguache, Colorado
Charlie Ben Vigil	Rt. 4, Box 33, Walsenburg, Colorado

Jose Elizardo Vigil  
Larry Vigil  
Vitasoil Company  
George W. Whertley  
Western Enterprises  
Western State Auto Sales, Inc.  
Western States Mfg. & Supply Co.  
Western States Restaurant Assoc.  
L. E. White  
White-Payton-White  
Willie's Scrap Yard  
H. E. Wilson & Co.  
Charles William Woods  
Willis Wright  
Elaine Young  
Ellis Young  
Thomas H. Youngblood  
Zion Distributing Co.

Capulin, Colorado  
906 Ortega Rd., N.W. Albuquerque, New Mexico  
404 Exchange Natl. Bk. Bldg., Colo. Springs, Colo.  
1051 Ford Street, Golden, Colorado  
Rt. 1, Marshall Road, Boulder, Colorado  
603 Highway 50, Grand Junction, Colorado  
3287 S. Lafayette, Englewood, Colorado  
2219 Curtis St., Denver 5, Colorado  
711 Glendale, Pueblo, Colorado  
Box 234, Seminole, Texas  
2301 E. 4th, Pueblo, Colorado  
El Paso, Texas  
239 W. 7th Ave., Chico, California  
141 S. Sherman, Denver 9, Colorado  
Box 184, Erie, Colorado  
3729 High Street, Denver 5, Colorado  
520 San Juan Dr., Durango, Colorado  
2056 Champa, Denver 5, Colorado

This Order shall become effective ten days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 19th day of October, 1959.

mls

original

(Decision No. 53177)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE OF )  
VARIOUS CORPORATIONS, PARTNERSHIPS, )  
AND/OR PERSONS TO COMPLETE APPLICA- )  
TIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL (PRIVATE) CARRIERS BY )  
MOTOR VEHICLE IN THE STATE OF )  
COLORADO. )  
- - - - - )

- - - - -  
October 19, 1959  
- - - - -

S T A T E M E N T

By the Commission:

The records of the Commission show that the corporations, partnerships, and/or persons listed in the Order part of this decision have paid to the Commission a filing fee for a Commercial (private) Carrier Permit to operate over the highways of the State of Colorado.

The records of the Commission further show that said applicants have failed to complete their applications in one or more of the following particulars as required by the Rules and Regulations Governing Commercial Carriers by Motor Vehicle in Colorado:

- (a) Failure to file completed application.
- (b) Failure to file request for cab cards.
- (c) Failure to file, or have filed, certificate of insurance.

The records of the Commission further show that all of the applicants listed in the Order part of this decision have been duly notified by the Commission of their failure to comply with one or more of the above particulars.

F I N D I N G S

THE COMMISSION FINDS:

That the Statement should be made a part of these Findings.

That all of said proceedings heretofore instituted by the corporations, partnerships, and/or persons listed in the Order part of this decision should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That each of the application proceedings heretofore commenced by the following corporation, partnerships, and/or persons before this Commission to obtain authority to operate as a Commercial (private) carrier by motor vehicle over the highways of the State of Colorado, be, and the same hereby are, dismissed:

Highway Garage	Georgetown, Colorado
Adare Hill	829 Hall Ave., Grand Junction, Colorado
Henry Hirose	Box 32, Granada, Colorado
Ted Hobbs	Ft. Sumner, New Mexico
Hobby Stationery & Envelope Co., Inc.	100 E. Commerce
Wendell H. Hoffman	Colorado Springs, Colorado
Ben Hollingsworth	4140 Madison Ave., Ogden, Utah
Hollis Cotton Oil Mill	2000 E. 22nd Ave., Denver 5, Colorado
Chappel Holomon	Hollis, Oklahoma
Alfred Holt	Box 395, Liberty, Mississippi
Amos Holt	Box 90, Espanola, New Mexico
Home Oil Co.	9308 Klingerman, Elmonte, California
Walter W. Howton	Box 474, Eads, Colorado
Joe Hudson	303 N. 10th Ave., Sterling, Colorado
Weldon T. Hughs	6611 Q St., Omaha, Nebraska
Butch Hummel	Walsh, Colorado
Bill D. Hunt	Osmond, Nebraska
Jack Hunt	306 S. Beangs, McKinney, Texas
Vernon L. Hunt	1510 Lindsey, Gansville, Texas
Charles J. and Dorothy L. Hurt	Wauneta, Nebraska
Mike A. Hurtado	615 S. Baltic, Colorado Springs, Colo.
Bobby G. Ickelberry	3314 Gilpin, Denver 5, Colorado
Ideal Trailer Sales, Inc.	1714 Lynwood, Pueblo, Colorado
Independent Wrecking Yard	Dickson, North Dakota
Inland Trailer Sales	Cottonwood Lane, Jamestown Rd., Boulder, Colo.
Joseph Inshetski	1818 12th Ave. S., Lethbridge, Alberta, Canada
Intermountain Concrete Co.	3 Manitou Ave., Manitou Springs, Colorado
Intermountain Piano Co.	625 E. Main, Vernal, Utah
International Paper Co.	Box 632, Idaho Falls, Idaho
J & J Construction Co.	(Long Bell Div) 517 Main, Springfield, Colo.
Jack's Market	1313 Camina Contenta, Farmington, New Mex.
Jackson Mfg. Co.	708 River Street, Canon City, Colorado
Wilfred O. Jaramillo	Box 1905, Farmington, New Mexico
LaMonte Jensen	Route 1, Box 58, Delta, Colorado
Jernigan Grain Co.	879 N. 3rd E., Spanish Forks, Utah
Roy A. Jerome	Box 335, Bells, Texas
Jerry's Tank Service	607 3rd Ave. N., Glasgow, Montana
Dale Jessup	409 S. Washington, Kimball, Nebraska
J. D. Jewell, Inc.	R. R. 6, Martinville, Indiana
George Joe	322 S. Maple St., Gainsville, Georgia
Lloyd G. Joe	948 S. Tejon, Colorado Springs, Colorado
Johnson Bros. Wrecking Co.	112 S. 28th, Colorado Springs, Colorado
Chandler W. Johnson	512 N. 12th, Lincoln, Nebraska
Jack Johnson	5340 Adams, Denver 16, Colorado
James C. Johnson	Datil, New Mexico
Tommy L. Johnson	Walden, Colorado
	Box 756, Idaho Springs, Colorado

Dale Jones & Son  
 Dallas Jones  
 Paul Jordon  
 Jo-San Hauling  
 K & K Mining Co.  
 Kaiser Trailer Co.  
 Dudley V. Keith  
 Keenesburg Impl. Co.  
 Herman Keil  
 Chas. C. Keithley  
 Coy Kelley  
 George P. Kelly  
 Kelly Lumber Co.  
 W. R. Kenney  
 Gerald M. Kesinger  
 A. M. Kilgore  
 Coleman D. Killion  
 R. C. Kimball  
 William Cecil Kinder  
 Albert E. King  
 I. L. King  
 Kingery Feed Store  
 Leslie F. Kingery  
 King Oil, Inc.  
 Kinnards Music Co.  
 Kittawning Brick Co.  
 P. E. Klayman & J. E. Wettstein  
 Reinhold Kline  
 William Kramer  
 John Kress  
 Mike Krisfalusi  
 Kroehler Mfg. Co.  
 Kruger Grain & Feed  
 Lawrence Kunau  
 Roger Kuntz  
 LaCosina Cafe  
 Lake Park Grocery  
 Lambrecht & Sells  
 Bob Lambert  
 N. L. Lambert  
 W. T. Lambert  
 Clifford A. Landers  
 Lester A. Lawrence  
 Lee's Auto Service  
 Elmer Leiker  
 C. L. Lewis  
 Ralph Lichtenhahn  
 K. C. Light  
 Lineback Motor Co.  
 Theodore Little  
 Robert C. Loddy  
 Long's Fruit & Produce Co.  
 Loveland Floral & Gift Shop  
 Harold Lovesee  
 Delmar F. Lowder  
 Walker Thomas Lovesee  
 Luddington Seating Co., Inc.  
 Nacor Lujan  
 Guy Lundy  
 Samuel M. Lybrook

Box 511, Crowell, Texas  
 R. R. 1, Washington, Indiana  
 Garvin, Oklahoma  
 1100 W. Evans, Denver 23, Colorado  
 Rt. 1, Box 186, Montrose, Colorado  
 1083 University Ave., St. Paul, Minn.  
 306 Lincoln, Ordway, Colorado  
 Keenesburg, Colorado  
 Brownell, Kansas  
 Manzanola, Colorado  
 2428 Crawford, Pueblo, Colorado  
 4715 Fillmore, Denver 16, Colorado  
 Scappoose, Oregon  
 1119 Main, Durango, Colorado  
 P. O. Box 332, Rifle, Colorado  
 Box 371, Aztec, New Mexico  
 Box 1144, Marshall, Texas  
 806 17th, Plano, Texas  
 3425 W. Center Ave., Denver 19, Colo.  
 1826 E. 15th, Pueblo, Colorado  
 Route 1, Grand Bay, Alabama  
 Roaring Springs, Texas  
 3002 Shallowater Dr., Lubbock, Texas  
 Box 329, Wichita Falls, Texas  
 2824 Elizabeth, Pueblo, Colorado  
 Reesdale, Pennsylvania  
 1038 S. Federal, Denver 19, Colorado  
 1828 Broadview, Ft. Collins, Colorado  
 390 N. Main, Brighton, Colorado  
 2136 California, Denver 5, Colorado  
 Box 94, Adams City, Colorado  
 6700 Denton Dr., Dallas, Texas  
 Pipestone, Minnesota  
 Rush, Colorado  
 2530 Wyoming St., Pueblo, Colorado  
 P. O. Box 555, Henderson, Colorado  
 500 Garfield St., Ft. Collins, Colo.  
 728 Oak, Canon City, Colorado  
 Sidney, Nebraska  
 General Delivery, Levelland, Texas  
 P. O. Box 282, Muleshoe, Texas  
 P. O. Box 205, Derby, Colorado  
 1930 5th Ave., Kearney, Nebraska  
 105 N. 10th St., Brighton, Colorado  
 1314 Hubbard, Great Bend, Kansas  
 1514 Lone Oak, Houston, Texas  
 Meeker, Colorado  
 837 Cy. Ave., Casper, Wyoming  
 O'Neill, Nebraska  
 Box 613, Loveland, Colorado  
 Tierra Amarilla, New Mexico  
 906 S. Grant, Odessa, Texas  
 2202 W. 14th, Loveland, Colorado  
 2701 E. 11th, Pueblo, Colorado  
 Clifton, Colorado  
 Route 1, Box 95A, Boone, Colorado  
 S. Lakewood Rd., Luddington, Michigan  
 Box 125 Reed Ave., Longmont, Colorado  
 P. O. Box 114, Tres Piedras, New Mexico.  
 Box 343, Farmington, New Mexico


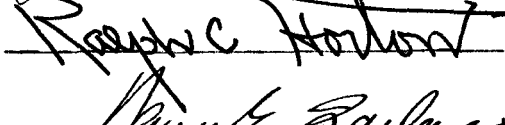
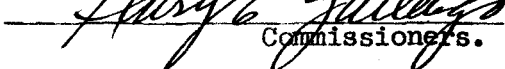


Lyman Motor Inc.  
William E. Lynch, Jr.  
C. H. McBroom  
Earl O. McCall  
John McCann & Wm. J. Jones  
McCarter & Henderson  
Bill G. McCauley  
H. H. McClain  
Wm. L. McCleary  
Robert J. McConic  
McCue Transportation  
H. L. McCune  
John McDaniel  
Forrest A. McDonald and  
Clarence E. Lowder  
McDougold, Jr. & Stooks  
E. J. McGlathery  
Charles L. McIntosh  
E. M. McKenzie Landscaping  
McLaren Surplus Sales  
Vincent F. McMann  
Alonzo McMurrey  
Lloyd McWater

285 W. 3rd S., Provo, Utah  
1721 Norwood Ave., Boulder, Colorado  
Electra, Texas  
3060 Pierce St., Denver 15, Colorado  
P. O. Box 1064, Moab, Utah  
139 W. 3rd, Leadville, Colorado  
Route 2, Muskogee, Oklahoma  
Garvin, Oklahoma  
Box 273, Rye, Colorado  
1912 W. Northern Ave., Pueblo, Colo.  
Grand Island, Nebraska  
7050 W. 6th Ave., Denver 15, Colo.  
P. O. Box 66, Cimarron, New Mexico  
  
Palisade, Colorado  
Box 448, Moab, Utah  
Box 1042, Grand Junction, Colorado  
Irvine, Kentucky  
731 N. Nevada, Colorado Springs, Colo.  
1221 South, Toledo, Ohio  
Box 301, Dalton, Nebraska  
Colorado Hotel, Craig, Colorado  
Box 2, Moffett, Oklahoma

This Order shall become effective ten days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 19th day of October, 1959.

mls

original

(Decision No. 53178)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE OF )  
VARIOUS CORPORATIONS, PARTNERSHIPS, )  
AND/OR PERSONS TO COMPLETE APPLICA- )  
TIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL (PRIVATE) CARRIERS BY )  
MOTOR VEHICLE IN THE STATE OF )  
COLORADO. )  
----- )

-----  
October 19, 1959  
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S T A T E M E N T

By the Commission:

The records of the Commission show that the corporations, partnerships, and/or persons listed in the Order part of this decision have paid to the Commission a filing fee for a Commercial (private) Carrier Permit to operate over the highways of the State of Colorado.

The records of the Commission further show that said applicants have failed to complete their applications in one or more of the following particulars as required by the Rules and Regulations Governing Commercial Carriers by Motor Vehicle in Colorado:

- (a) Failure to file completed application.
- (b) Failure to file request for cab cards.
- (c) Failure to file, or have filed, certificate of insurance.

The records of the Commission further show that all of the applicants listed in the Order part of this decision have been duly notified by the Commission of their failure to comply with one or more of the above particulars.

F I N D I N G S

THE COMMISSION FINDS:

That the Statement should be made a part of these Findings.

That all of said proceedings heretofore instituted by the corporations, partnerships, and/or persons listed in the Order part of this decision should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That each of the application proceedings heretofore commenced by the following corporations, partnerships, and/or persons before this Commission to obtain authority to operate as a Commercial (private) carrier by motor vehicle over the highways of the State of Colorado, be, and the same hereby are, dismissed:

W. W. Garage	1207 $\frac{1}{2}$ S. Nevada, Colo. Springs, Colo.
Wagner Brothers	Route 1, Round Top, Texas
Jay S. Wagner	509 E. Simpson, Lafayette, Colorado
William F. Wahl	1235 Elati, Denver 4, Colorado
Clyde Wake	Open Air Market, Rapid City, So. Dakota
C. S. Walker	3230 Wichita, Vernon, Texas
George A. Walker Farm Implements	Route 1, Loveland, Colorado
Burnett W lkinshaw	Holly, Colorado
Stephen A. Walkinshaw	Holly, Colorado
Ray R. Wallace	Byers, Colorado
Wallace Trailer Sales	P. O. Box 352, Wallace, Idaho
Walsenburg Oil & Cinder Products Co.	Box 272, Walsenburg, Colorado
Andrew E. Walters	309 Tomichi, Gunnison
Walch Trailer Sales	2822 Innis, Boise, Idaho
Montgomery Ward & Co.	317 Linden, Ft. Collins, Colorado
Oscar L. Warford	1668 Federal, Denver 4, Colorado
T. E. Warne	1628 Dayton, Wichita Falls, Texas
Arthur Washburn	416 W. 1st, Belton, Texas
Robert & Reginald F. Watkins	6571 Holly, Derby, Colorado
Watsonville Pie Apple Processing Co.	10 Boyer Rd., Watsonville, California
Walter & Cullum Mining Co.	707 N. 125th, Gunnison, Colorado
Howard Weatherly	Box 702, Panhandle, Texas
Carl Week Trucking Co.	Route 6, Lincoln, Nebraska
John & Nellie Welch	Meeker, Colorado
George West Motor Co.	Route 2, Box 17, Layton, Utah
John West	Box 51, Chelsea, Oklahoma
Western Auto Assoc. Store	1234 Prairie, Pueblo, Colorado
Western Motor Co.	1122 E. 34th, Lubbock, Texas
Western Pipe & Supply Co.	Box 862, Amarillo, Texas
Olin M. Wharton	Box 132, Littlefield, Texas
Wheatridge Appliance Co.	7100 W. 38th Ave., Wheatridge, Colo.
Jackie Wheeler	Vernon, Texas
White "E" Company	1580 S. Santa Fe, Denver 23, Colorado
Eli White & Sons	Box 274, Naturita, Colorado
Orville White	Box 152, Lamar, Colorado
Whitney Pontiac Co.	Delta, Colorado
Willie E. White Truck Line	4025 8th Street, Temple, Texas
Wholesale Auto Mart	6212 Independence Ave., Kansas City, Mo.
Wieman Equipment Co.	Mohall, North Dakota
Lewis Wilkes, Jr.	Route 1, Shallowater, Texas
Charles A. Williams	506 $\frac{1}{2}$ 28 $\frac{1}{2}$ Road, Grand Junction, Colorado
Leslie W. Williams	605 Hackberry, Security, Colorado
B. E. Wilson	709 N. 5th, Iamesa, Texas
L. Dean Wilson	145 S. 1st W., Salina, Utah
George Wilson	301 S. Cherokee, Frontenac, Kansas

Walter R. Wilson  
Winks, Inc.  
Lewis Winn  
Clarence Winters  
F. W. Wirth  
Wise Service  
Arthur A. Witt  
C. R. Wolfe  
Robbie D. Wood  
Dean M. Woodard  
Woodro Pipe & Supply Co.  
C. D. Worley  
Worrell Motor Co.  
Bob Wright & Co.  
Richard & Henry Wright  
Wright's Egg & Poultry Co.  
R. C. Young  
Zions Co-op Merc. Corp.

Crowley, Colorado  
1691 Pearson, Lakewood, Colo.  
317 $\frac{1}{2}$  Main Street, Ft. Morgan, Colo.  
P. O. Box 525, Grand Junction, Colo.  
963 S. Utica, Denver 19, Colorado  
276 E. 1st, Akron, Colorado  
Garfield Star Rt., Salida, Colorado  
Star Route, Meers, Oklahoma  
Route 5, Searcy, Arkansas  
Box 1645, Cortez, Colorado  
Box 51, Kimball, Nebraska  
426 E. Kiowa, Colorado Springs, Colo.  
1303 19th Street, Lubbock, Texas  
2450 S. State, Salt Lake City, Utah  
Merriman, Nebraska  
501 W. 3rd St., Leadville, Colorado  
Box 274 West End Station, Colo. Springs, Colo.  
Arms Plant, Salt Lake City, Utah

This Order shall become effective ten days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph F. Nigro*  
*Ralph C. Hinton*  
*James E. DeLong*  
Commissioners.

Dated at Denver, Colorado,  
this 19th day of October, 1959.  
mls

original

(Decision No. 53179)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE OF )  
VARIOUS CORPORATIONS, PARTNERSHIPS, )  
AND/OR PERSONS TO COMPLETE APPLICA- )  
TIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL (PRIVATE) CARRIERS BY )  
MOTOR VEHICLE IN THE STATE OF COLO- )  
RADO. )  
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-----  
October 19, 1959  
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S T A T E M E N T

By the Commission:

The records of the Commission show that the corporations, partnerships, and/or persons listed in the Order part of this Decision have paid to the Commission a filing fee for a Commercial (private) Carrier Permit to operate over the highways of the State of Colorado.

The records of the Commission further show that said applicants have failed to complete their applications in one or more of the following particulars as required by the Rules and Regulations Governing Commercial Carriers by Motor Vehicle in Colorado:

- (a) Failure to file completed application.
- (b) Failure to file request for cab cards.
- (c) Failure to file, or have filed, certificate of insurance.

The records of the Commission further show that all of the applicants listed in the Order part of this Decision have been duly notified by the Commission of their failure to comply with one or more of the above particulars.

F I N D I N G S

THE COMMISSION FINDS:

That the Statement should be made a part of these Findings.

That all of said proceedings heretofore instituted by the corporations, partnerships, and/or persons listed in the Order part of this Decision should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That each of the application proceedings heretofore commenced by the following corporations, partnerships, and/or persons before this Commission to obtain authority to operate as a Commercial (private) carrier by motor vehicle over the highways of the State of Colorado, be, and the same hereby are, dismissed:

P & B Nursery	Chico, California
Pace Bros.	Box 518, Fruita, Colorado
David M. Pace	630 N. 1st, Montrose, Colorado
Joseph F. Pacheco	Box 51, Redwing, Colorado
Pacific Hide & Fur Co.	215 2nd Ave., S., Great Falls, Montana
Robert Paden	Route 1, Fort Lupton, Colorado
Bennie Padilla	811 Geneva Rd., Pueblo, Colorado
Joe B. Padilla	Valdez, Colorado
Bill Paiz	Route 1, Box 5A, Olathe, Colorado
Donald Parker	Route 1, Box 165, Fairview, Oklahoma
William G. Parker	1635 Harlan, Lakewood, Colorado
Parkway Too !	1112 Alpine, Boulder, Colorado
George Patterson	RR 1, Eads, Colorado
R. P. Patterson	Wellington, Colorado
Richard J. Patton	1228 Fearnow, Pueblo, Colorado
Paul's Mobile Service	W. 8th, Palisade, Colorado
Kenneth Paxton	Box 541, Cheyenne Wells, Colorado
John D. Paxton	2618 E. Yampa, Colorado Springs, Colo.
Jess O. Peck	1808 E. 4th, Pueblo, Colorado
Roy N. Peck	140 Jefferson, Monte Vista, Colorado
Dr. Pepper Friedlan Bottling Co.	1414 E. 13th, Cheyenne, Wyoming
Walter S. Perkins	9801 Morrison Road, Morrison, Colorado
George W. Perschbacher	Box 255, Bailey, Colorado
LeRoy C. Peyton	315 E. Nebraska, Grand Island, Nebraska
Loren C. Peyton	Silt, Colorado
C. B. Pfab	6751 Albion, Derby, Colorado
N. P. Phelps	970 Main Avenue, Durango, Colorado
Joseph T. Phillips	2756 W. 32nd Ave., Denver 11, Colorado
Phillipsburg Produce	899 3rd, Phillipsburg, Kansas
Pikes Peak Canteen Co.	2503 Howbert, Colorado Springs, Colorado
Pine Tree Mobile Homes, Inc.	1809 E. Main, Farmington, New Mexico
Pioneer Trailer Sales	Highway 218 South, Austin, Minnesota
Virgil Piper	Breckenridge, Texas
Platte Valley Potato Growers Assn.	P. O. Box 528, Julesburg, Colorado
Polar Mesa Mining Co.	Box 859, Moab, Utah
W. A. Poston	210 Ave. "S", Lubbock, Texas
Henry Powell	7020 E. 52nd Ave., Denver 16, Colorado
Powell Livestock Co.	Box 322, Rowland, North Carolina
Wesley W. Powell	Rt. 2, Box 389, Montrose, Colorado
Powers Roofing & Siding	1309 S. Summit, Arkansas City, Kansas

H. A. Prater  
 Burrell Prather  
 Glen A. Pray  
 George H. Prince  
 Walter Protzman  
 Pueblo Aluminum & Brass  
 Pueblo Auction House  
 Frank L. Purdham  
 Marvin Rambish  
 Jay Randall  
 A. E. Ravenscroft  
 Ray & Myrick  
 Beryl H. Rector  
 Redwing Salvage  
 Elvin Reed  
 William R. Reed  
 Regal Mobile Homes  
 Rem Uranium Co.  
 Edward L. Rensch  
 Carl L. Reynolds & Harold O.  
 Garrett  
 Reynolds Construction Co.  
 Kenneth Richardson  
 Wesley Emmett Riffey  
 Joseph Clay Rigg  
 L. E. Riggs  
 H. W. Rigor  
 Ramon Rine  
 Rio Grande Supply Co.  
 Rigdon Market  
 Louie Rivas  
 Louie L. Rivas  
 Riverside Minerals Corp.  
 Fred Roach  
 Vernon & Don Roberts  
 Judd Robinson  
 Harold R. Rodkey  
 Joseph G. Rodman, Jr.  
 Rogers Auto Shop  
 Eugene H. & Charlene Rohrick  
 Abe Romero  
 Filemon M. Romero  
 Leandro Romero  
 Rooney Chevrolet  
 John Rose  
 Thomas Rowe  
 W. J. Rowland  
 Rudy-Adams Auto Mart  
 Russ Auto Service  
 Bill Rust  
 F. W. Ryan  
 Robert & Oscar Saenz  
 Adam Salazar  
 Herbert A. Salzman  
 Ermon Sammons  
 W. R. Sanborn & Grank Leonard  
 Agapito Sanchez  
 Alfonso Sanchez & Sons  
 Estevan Sanchez  
 Louis Sanchez

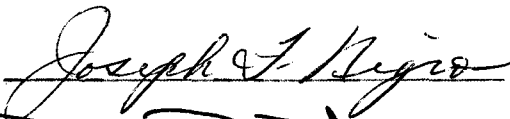


3006 W. Westward, Phoenix, Arizona  
 2943 Vine, Denver 5, Colorado  
 2487 S. Zenobia, Denver 19, Colorado  
 6511 Albion, Derby, Colorado  
 Star Route, Lyons, Colorado  
 513 S. Santa Fe, Pueblo, Colorado  
 1905 E. 4th, Pueblo, Colorado  
 781 Cragmore, Denver 16, Colorado  
 1308 E. 3rd, Pueblo, Colorado  
 Ulysses, Kansas  
 300 E. Main, Cortez, Colorado  
 3307 Roosevelt, Midland, Texas  
 Box 193, Deertrail, Colorado  
 521 W. Bowman, Kingfisher, Oklahoma  
 Nucla, Colorado  
 Portales, New Mexico  
 Pinconning, Michigan  
 Box 462, Gallup, New Mexico  
 Elhart, Kansas  
  
 Box 365, Cortez, Colorado  
 Rt. 2, Box 40, Monte Vista, Colorado  
 Box 3163, Bryan, Texas  
 Rt. 1, O'Neill, Nebraska  
 P. O. Box 11, Palisade, Colorado  
 Lebanon, Kansas  
 13 Easy St., Colorado Springs, Colo.  
 611 N. Pearl St., Osceola, Arkansas  
 Box 1553, Taos, New Mexico  
 Lyons, Colorado  
 666 6th St., Durango, Colorado  
 Box 694, Moab, Utah  
 104 N. 4th St., Canon City, Colorado  
 2807 Dudley, Fresno, California  
 Box 225, Baschor, Kansas  
 3230 Cessna Dr., Wichita, Kansas  
 RR #1, Blue Rapids, Kansas  
 216 S. 1st, Raton, New Mexico  
 Rt. 1, Box 103, So. Avondale, Colo.  
 824 Whedbee, Ft. Collins, Colorado  
 Box 289, La Jara, Colorado  
 604 E. 3rd, Pueblo, Colorado  
 Starkville, Colorado  
 Norwood, Colorado  
 2453 Vine, Denver 5, Colorado  
 Box 295, Lazear, Colorado  
 395 Central Drive, Brighton, Colorado  
 535 E. Main, Price, Utah  
 Box 9, Scotia, Nebraska  
 Box 368, Adams City, Colorado  
 Rt. 2, Box 290, Lynchburg, Virginia  
 3402 Buena Vista, San Antonio, Texas  
 227 Noria, San Antonio, Texas  
 2132 15th St., Rock Island, Illinois  
 2421 W. Vermijo, Colo. Springs, Colo.  
 Box 86, Yampa, Colorado  
 4547 Mariposa St., Denver 21, Colorado  
 1012 Park, Trinidad, Colorado  
 Box 53, Silvercliffe, Colorado  
 434 Mildred N.W., Albuquerque, New Mex.

Ralph Sanchez  
Simon Sanchez  
Tony Sanchez  
Robert Wayne Sanders  
Merle Sandlian  
Sandoval Sales & Service  
Sawyer Lines, Inc.  
Vernon Schaeffer  
Ronny & Cliff Schaffan  
Charles Schaul  
Schmoller & Mueller Piano Co.  
A. D. Scott  
A. W. Scott  
Charles M. Scott  
Edward Dale Scott  
Scott Grain & Feed Co.  
Wilson A. Scott  
Security Auto Sales, Inc.  
Cecil Seale  
Sears-Robuck & Co.  
Charles Secrest  
Seifert Produce  
Sel-Lo Food Store  
Doyle Wayne Senkirik  
Service Glass Co.  
Service Oil Co.  
Servisoft Soft Water Service

302 Shropshire, Albuquerque, New Mex.  
Crowley, Colorado  
2922 Larimer, Denver 5, Colorado  
Box 366, Norwood, Colorado  
Rt. 3, Box 288C, Boulder, Colorado  
1126 National, Las Vegas, New Mexico  
114 East Court, Winterset, Iowa  
Berthoud, Colorado  
Whitewood, South Dakota  
Box 234, Evergreen, Colorado  
1515 Broadway, Scottsbluff, Nebraska  
1034 N. 4th E., Bountiful, Utah  
303 Pearson, McKinney, Texas  
11 W. 2nd Ave., Yuma, Colorado  
Rt. 1, Box 200, Canon City, Colorado  
1110 Paradise St., Vernon, Texas  
Sioux City, Iowa  
845 S. State, Salt Lake City, Utah  
4821 38th, Lubbock, Texas  
100 Southgate Center, Colo. Springs, Colo.  
Route 1, Pimento, Indiana  
806 E. 8th St., Scottsbluff, Nebraska  
712 E. 3rd, La Junta, Colorado  
101 E. Ave. "H", Belton, Texas  
3062 Main, Durango, Colorado  
517 S. 17th Ave., Phoenix, Arizona  
P. O. Box 143, Montrose, Colorado

This Order shall become effective ten days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 19th day of October, 1959.

mls



original

(Decision No. 53180)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE OF )  
VARIOUS CORPORATIONS, PARTNERSHIPS, )  
AND/OR PERSONS TO COMPLETE APPLICA- )  
TIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL (PRIVATE) CARRIERS BY )  
MOTOR VEHICLE IN THE STATE OF COLO- )  
RADO. )  
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-----  
October 19, 1959  
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S T A T E M E N T

By the Commission:

The records of the Commission show that the corporations, partnerships, and/or persons listed in the Order part of this Decision have paid to the Commission a filing fee for a Commercial (private) Carrier Permit to operate over the highways of the State of Colorado.

The records of the Commission further show that said applicants have failed to complete their applications in one or more of the following particulars as required by the Rules and Regulations Governing Commercial Carriers by Motor Vehicle in Colorado:

- (a) Failure to file completed application.
- (b) Failure to file request for cab cards.
- (c) Failure to file, or have filed, certificate of insurance.

The records of the Commission further show that all of the applicants listed in the Order part of this Decision have been duly notified by the Commission of their failure to comply with one or more of the above particulars.

F I N D I N G S

THE COMMISSION FINDS:

That the Statement should be made a part of these Findings.

That all of said proceedings heretofore instituted by the corporations, partnerships, and/or persons listed in the Order part of this Decision should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That each of the application proceedings heretofore commenced by the following corporations, partnerships, and/or persons before this Commission to obtain authority to operate as a Commercial (private) carrier by motor vehicle over the highways of the State of Colorado, be, and the same hereby are, dismissed:

M & H Distributing Co.	809 Arkansas, Memphis, Tennessee
M & I Trucking Co.	1722 Rand, Boise, Idaho
Mac's Auto Sales	278 Caldwell Blvd., Nampa, Idaho
Bill Mackey	315 Shannon Lee Dr., San Antonio, Tex.
Joseph Lee Malouff	Capulin, Colorado
Neff David Malouff	Capulin, Colorado
Andy Mallett	P. O. Box 691, Delta, Colorado
Doris & John Malloy	8025 Green Ct., Westminster, Colorado
J. F. Manning	1320 Morris, Henderson, Texas
Bob Mapelli Choice Meat	2204 Raleigh, Denver 12, Colorado
Marlon Mining Co.	Montezuma, Colorado
Market Models Co.	3855 S. Broadway, Englewood, Colorado
H. A. Marsh Sales Co., Inc.	560 Main Avenue, Durango, Colorado
Dick Martin Produce	1464 Xavier, Denver 4, Colorado
Donald Carl Martin	Safeway Store, 285th & Arapahoe, Boulder, Colo.
J. W. Martin	Aztec, New Mexico
J. W. Martin	1400 E. Magnolia, Phoenix, Arizona
Robert M. Martin	Route 1, Vernal, Utah
R. W. Martin	1420 Bragdon, Pueblo, Colorado
W. C. Martin	805 Moody, Borger, Texas
Alvaro Martinez	P. O. Box 217, Espanola, New Mexico
Chris Martinez Sawmill	P. O. Box 583, Walsenburg, Colorado
Dora Martinez	205 Bradford, Pueblo, Colorado
Filadelfio S. Martinez	1458 W. Bayaud Ave., Denver 23, Colo.
Gabriel Martinez	Box 103, Frederick, Colorado
John P. Martinez	3801 Vallejo St., Denver 21, Colorado
Tony J. Martinez	Telluride, Colorado
Bill Marks	Rt. 1, Box 131, Aztec, New Mexico
A. E. Masey	Burnet, Texas
Matheson Body Shop	Matheson, Colorado
Mathis-Sullivan Mining Co.	P. O. Box 385, Louisville, Colorado
D. J. Maynard	Box 234, Canyon, Texas
Mazel Conoco Service	Crook, Colorado
Meade Holtz & Kerr Lumber Co.	San Isabel Inn, Rye, Colorado
Jack Medlin	Carruthersville, Missouri
Eddit Mehmel	2148 W. Campbell, Phoenix, Arizona
Billy G. Melton	3002 Vista Brook Dr., Decatur, Georgia
Clifford Merrick	Box 757, Portales, New Mexico
Merrill Produce Co.	2218 Burr, Gary, Indiana
Clayton Merritt	832 Washakie St., Thermopolis, Wyoming
A. C. Mestas	Monte Vista, Colorado

Metal Products Co. of Colorado	Box 66, Berthoud, Colorado
Ray Metcalf	5984 Oneida, Denver 16, Colorado
Metzger & Son	Silver Lake, Indiana
Louis A. Meyer	6th & Washington, Goodland, Kansas
Carl Meyers	Route 1, Fowler, Colorado
Mid-States Corp.	1801 Orchard Ave., McMinnville, Oregon
Mike Auto Wrecking	c/o Stu Auto Body, S.Main, Longmont, Colo.
Dean Miller	Box 251, San Saba, Texas
H. C. Miller	40 N. Trenton, Tulsa, Oklahoma
Miller Implement Co.	P. O. Box 117, Sidney, Nebraska
Loren K. Miller	Baggs, Wyoming
Miller Trailer Sales	317 W. Main, Albion, Nebraska
Miller's Wrecking Yard	Rangely, Colorado
Minnequa Linoleum & Tile Co.	1312 E. Evans, Pueblo, Colorado
Donald G. Mixon	Amherst, Texas
Jack Mixon	Route 1, Amherst, Texas
Mobile TV & Radio Service	120 Doris Dr., Colorado Springs, Colorado
Modern Floors	330 N. 4th Street, Sterling, Colorado
Jim J. Mondragon & Son	Route 2, Center, Colorado
Monson Brothers	Route 1, Box 33, Henderson, Colorado
Ben A. Montano	Valdez, Colorado
Felix J. Montoya	Box 325, Fountain, Colorado
Henry J. Montoya	Box 252, Rocky Ford, Colorado
Joe B. Montoya	2020 W. 16th, Pueblo, Colorado
Lee Montoya	1220 S. 4th St., Canon City, Colorado
Louie Montoya	2039 $\frac{1}{2}$ E. 14th, Pueblo, Colorado
Benjamin Moore & Co.	2500 Walnut, Denver 5, Colorado
Chester E. Moore	Box 192, Springfield, Colorado
Moore's Fruit Market	1103 Seminole Rd., Lamesa, Texas
Joe B. Moore	Route 1, Box 290, Weatherford, Texas
Lloyd E. Moore	Route 2, Sumner, Texas
J. G. Mooring	201 Holder Dr., Ft. Worth, Texas
Mike Mora	3315 Humboldt, Denver 5, Colorado
John C. Moran	2711 Manchester Dr., Colo. Springs, Colo.
Jimmie Wayne Morgan	2314 Ave. "A", Carlsbad, New Mexico
Oscar Morgan	609 W. Chipman, Phoenix, Arizona
Harvey R. Morrison	P. O. Box 572, Craig, Colorado
Raymond D. Morrow, Sr.	Box 168, Las Animas, Colorado
Joseph D. Morse	Route 2, Box 135A, Longmont, Colorado
Richard Moskowitz	4604 Brighton Blvd., Denver 16, Colo.
Motor Parts & Supply Co.	727 N. Santa Fe, Pueblo, Colorado
Mountain States Lumber Co.	Box 243, Albuquerque, New Mexico
Mountain View Egg & Produce Co.	RFD 1, Springville, Utah
Lee Roy Munger	3215 Elizabeth, Pueblo, Colorado
Robert Munoz	Castle Rock, Colorado
Murphey Mfg. Co.	1104 S. 1st St., Sherman, Texas
Raymond L. Myers	5857 Quebec, Denver 16, Colorado
George Nakayama	3806 N. Nevada, Colo. Springs, Colorado
National Food Distributors	4684 W. Alameda Ave., Denver 19, Colo.
C. N. Neal	109 $\frac{1}{2}$ S. Orchard, Farmington, New Mexico
Don Neet	Frisco, Colorado
Nehi-Royal Crown Bottling Co.	1059 Colorado Ave., Loveland, Colorado
Herman H. Neill	Holly, Colorado
John Nelms	133 Euclid, Monte Vista, Colorado
Nelson Grain Co.	Claude, Texas
David R. Neuman	Box 398, Dove Creek, Colorado
W. J. Neuenkirk	Leadville, Colorado
E. E. Newton	232 S. W. 21st, Oklahoma City, Oklahoma
New Joy Furniture Mfg. Co., Inc.	1540 Platte St., Denver 2, Colorado
Darrell Nichols	Rt. 2, Box 372, Rocky Ford, Colorado

Frank Nichols  
Homer Nichols  
William R. Nichols  
May Nigh  
Royce T. Nix  
Vivian D. Noll  
Joseph S. Nowacki  
R. E. Ogg  
James Oldenettel  
Pilar Olivas  
Olney Grain Co.  
M. B. Olson Service Co.  
Omaha Standard  
Oregon Cooperage Co.  
Osolin's Service Station  
J. C. Ott  
Ben Owen  
Quality Oil Co.  
Questa Lumber & Hardware  
Jerald R. Quindt

Route 2, Brighton, Colorado  
772 Independence, Lakewood 15, Colorado  
Route 2, Box 230, Montrose, Colorado  
Box 474, Evergreen, Colorado  
2712 E. 9th St., Texarkana, Arkansas  
Lingle, Wyoming  
1329 Grant, Denver 3, Colorado  
Box 423, Blackwell, Oklahoma  
4534 Wyandot St., Denver 11, Colorado  
541 Grant Ave., Louisville, Colorado  
Olney Springs, Colorado  
5th & Teller, Frisco, Colorado  
Council Bluffs, Iowa  
10915 N. Bugard, Portland, Oregon  
Box 42, Eads, Colorado  
P. O. Box 529, Creede, Colorado  
3201 W. 45th St., Oklahoma City, Okla.  
3200 E. Arapahoe, Boulder, Colorado  
Questa, New Mexico  
Brandon, Colorado

This Order shall become effective ten days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph F. Nigro*  
*Joseph C. Horton*  
*Samuel S. Paulsen*  
Commissioners.

Dated at Denver, Colorado,  
this 19th day of October, 1959.

mls

original

(Decision No. 53184)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE OF )  
VARIOUS CORPORATIONS, PARTNERSHIPS, )  
AND/OR PERSONS TO COMPLETE APPLICA- )  
TIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL (PRIVATE) CARRIERS BY )  
MOTOR VEHICLE IN THE STATE OF )  
COLORADO. )  
- - - - - )

- - - - -  
October 19, 1959  
- - - - -

S T A T E M E N T

By the Commission:

The records of the Commission show that the corporations, partnerships, and/or persons listed in the Order part of this decision have paid to the Commission a filing fee for a Commercial (private) Carrier Permit to operate over the highways of the State of Colorado.

The records of the Commission further show that said applicants have failed to complete their applications in one or more of the following particulars as required by the Rules and Regulations Governing Commercial Carriers by Motor Vehicle in Colorado:

- (a) Failure to file completed application.
- (b) Failure to file request for cab cards.
- (c) Failure to file, or have filed, certificate of insurance.

The records of the Commission further show that all of the applicants listed in the Order part of this decision have been duly notified by the Commission of their failure to comply with one or more of the above particulars.

F I N D I N G S

THE COMMISSION FINDS:

That the Statement should be made a part of these Findings.

That all of said proceedings heretofore instituted by the corporations, partnerships, and/or persons listed in the Order part of this decision should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That each of the application proceedings heretofore commenced by the following corporations, partnerships, and/or persons before this Commission to obtain authority to operate as a Commercial (private) carrier by motor vehicle over the highways of the State of Colorado, be, and the same hereby are, dismissed:

A & A Liquors	124 E. Mill, Colorado Springs, Colorado
A C C Auto Parts	1029 S. Joplin, Pueblo, Colorado
A & G Inc., Trailer Sales	1100 10th Ave. S., Great Falls, Montana
A-Jacks Tree Service	448 S. Alcott, Denver 19, Colorado
A-Services	6800 W. 6th, Lakewood, Colorado
R. H. Abkes' Landscaping	4000 S. Clay, Englewood, Colorado
Acme Mattress & Spring Co.	Box 2422, Amarillo, Texas
Acme Tire Company	247 W. Commerce Street, Dallas, Texas
Everett Adams	Route 1, Nevada, Missouri
Kelley Adams	3821 Aztec N.E., Albuquerque, New Mex.
Paul B. Adams	P. O. Box 1312, Greeley, Colorado
William O. Adams	Rt. 1, Box 126, Littleton, Colorado
C. J. Addington	Rt. 1, Box 229, Colorado Springs, Colo.
Mariano Aguinaga	Castroville, Texas
Ramon Aguinaga	Box 123, Natalia, Texas
Airline Furniture Co.	6710 N. Federal Blvd., Westminster, Colo.
Alamosa Auction	Alamosa, Colorado
Joe P. Alcon	Box 1584, Durango, Colorado
Aubrey E. Allen	Box 693, Panhandle, Texas
Roy T. Allison	Matheson, Colorado
Al's Appliance & Repair	147 N. Main, Brighton, Colorado
Arthur H. Anderson	1537 W. 1st Pl., Mesa, Arizona
David W. Anderson	58 Galapago, Denver 23, Colorado
Anderson Ford Service	Lucerne, Minnesota
Donald W. Anderson	Jaroso, Colorado
G. Lowry Anderson, Inc.	Springville, Utah
Phyllis T. Anderson	Rt. 2, Box 55A, Loveland, Colorado
W. B. Anderson Sales Co.	305 Burnside, Bend, Oregon
Eugene E. Andrews	Rt. 1, Evergreen, Colorado
Andy's Auto Wrecking	5697 N. Federal, Denver 21, Colorado
Delbert Angst	Battle Creek, Nebraska
Wester Apple	Goodwell, Oklahoma
John Aprecio	3029 Gilpin, Denver 5, Colorado
Paul G. Archer	2111 Delwood Ave., Durango, Colorado
Alfonso M Archuleta	2565 Kendall, Denver 14, Colorado
Benerito Archuleta	2024 W. 13th, Pueblo, Colorado
Joe E. Archuleta	Box 141, Del Norte, Colorado
John B. Archuleta	Box 214, Durango, Colorado
Anastacio Arellano	General Delivery, Dixon, New Mexico
Robert Arellano	1230 Roselawn Rd., Pueblo, Colorado
Robert C. Arfsten	Box 57, Larkspur, Colorado
Moses Armijo	1003 Vine St., Las Animas, Colorado
Don Armour Block Co.	Ogallala, Nebraska
Bennie Arnwine	Celeste, Texas
Tony Atencio	Box 2132, Pueblo, Colorado
W. C. Atkins	Box 999, Trenton, Texas

Augusto Livestock Co.  
 Austin Sign Co.  
 H. F. Axtell  
 B's Auto Wrecking & Salvage  
     Enterprises  
 B & C Salvage Co.  
 B & K Sales, Inc.  
 B & R Trailer Sales  
 B-Mark Distributing Contractor  
 Boyda L. Babcock  
 Rudy Bacher  
 Laurin D. Bachman  
 K. B. Baggett  
 Howard Baker  
 Bailey-Ryan Distributing Co.  
 Baker Trailer Sales  
 Earl Bales  
 Donald E. Ball  
 Wm. E. Ballew  
 Banner Candy Company  
 Pete M. Barajas  
 Bardahl Distributor  
 Virgil Barger  
 James R. Barnes  
 Lewis B. Barnett  
 Bartlett & Company, Grain  
 Baties Super Market  
 Conrad Batt  
 Robert Bauserman  
 Wallace Beard  
 B. G. Beck  
 Truman T. & Inez L. Beck  
 Larry Belk  
 Alvin E. Belveal  
 Beners Motors  
 Bennett Produce  
 Gordon Benson  
 Berry Garage  
 Berthoud Falls Bay Service  
 E. L. Bessent  
 Best Seed Co.  
 L. E. Biggs  
 M. O. Billingsley  
 Bills Bros.  
 Bill's Produce  
 Bill's Standard Service  
 James H. Bisgard  
 W. W. Bivins  
 Thomas Black  
 Ambrose Ruell Blackmon  
 Blackstun Auto Wrecking  
 Coleen Blake  
 Blanding Mud Co.  
 Bob & Tom's  
 Bob & Wanda's  
 Bob's Appliance  
 Bob's General Merchandise  
 Phillip Lee Bookhamer  
 Boulder Tire & Equipment, Inc.  
 Bradford Produce

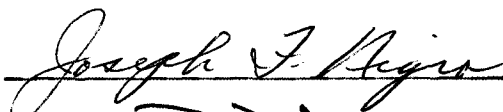
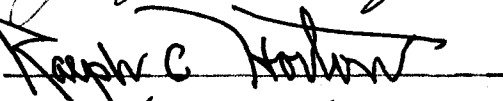
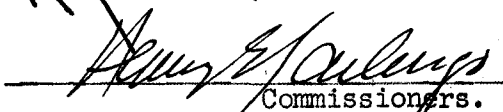
214 Ray, Brush, Colorado  
 208 N. Santa Fe, Pueblo, Colorado  
 101 Rio Vista Circle, Durango, Colorado  
  
 2960 W. 8th Ave., Denver 4, Colorado  
 Box 323, Hayden, Colorado  
 3226 S. Perry St., Montgomery, Alabama  
 3207 E. Van Buren, Phoenix, Arizona  
 809 E. 16th Ave., Denver 18, Colorado  
 Rt. 1, Box 107, Colorado Springs, Colo.  
 120 E. Polk, Colorado Springs, Colorado  
 6010 Garland, Arvada, Colorado  
 1124 W. 6th, Corsicana, Texas  
 6267 W. Jefferson Pl., Denver 15, Colo.  
 2002 Delgany, Denver 2, Colorado  
 Duluth, Minnesota  
 Ft. Dodge Rd., Dodge City, Kansas  
 2134 Asbury West, Denver 23, Colorado  
 S. Star Route, Ft. Morgan, Colorado  
 Carrollton, Mississippi  
 310 Highland, Trinidad, Colorado  
 140½ W. 1st St., Salida, Colorado  
 1701 5th St., Greeley, Colorado  
 Grand Lake, Colorado  
 P. O. Box 41, Center, Colorado  
 Walsh, Colorado  
 1275 E. Elm St., Rocky Ford, Colorado  
 213 8th St. W., Billings, Montana  
 Manzanola, Colorado  
 2041 N. 8th, Grand Junction, Colorado  
 Rt. 1, Fountain, Colorado  
 949 Jefferson, Loveland, Colorado  
 Butler, Missouri  
 Delta, Colorado  
 3201 Amherst, Lubbock, Texas  
 Box 2, Strasburg, Colorado  
 Roosevelt, Utah  
 Carbondale, Colorado  
 Box 246, Empire, Colorado  
 San Saba, Texas  
 102 S. 9th, Garden City, Kansas  
 Lebanon, Kansas  
 3268½ E. 3/10 Road, Clifton, Colorado  
 Box 341, Tulia, Texas  
 1805 W. Boulder, Colorado Springs, Colo.  
 260 N. Ave., Grand Junction, Colorado  
 1124 Newark, Aurora, Colorado  
 1028 McCauley, San Antonio, Texas  
 Box 262, Ft. Morgan, Colorado  
 Rt. 2, Mineola, Texas  
 111 S. Cameron St., Brush, Colorado  
 Orchard, Colorado  
 Box 263, Blanding, Utah  
 431 Marian Dr., Colorado Springs, Colo.  
 Box 126, Platteville, Colorado  
 Box 342, Ovid, Colorado  
 1416 12th St., Greeley, Colorado  
 1245 Jackson, Pueblo, Colorado  
 1590 28th St., Boulder, Colorado  
 5210 Junius, Dallas, Texas

Brad's Produce  
 William Ray Bradshaw  
 A. E. Branch & Sons  
 Lester V. Brandon  
 Brandon Motors  
 Allen Brandt  
 Brase Distributing Co.  
 Roy Brassman  
 C. G. & K. J. Brewer  
 R. D. Briscoe  
 Elrey Britton  
 Glen Brodbeck  
 Brown & Company  
 Charley T. Brown  
 William B. Brown  
 G. E. Browning  
 Bryant Poultry Co.  
 John Bucci  
 Buck's War Surplus  
 Bud & Chets Firewood  
 Buena Vista Mercantile  
 John Bumpus  
 Burketts Trailer Sales  
 A. F. Burkhard  
 R. L. Busbee  
 Alton G. Busby  
 Butte Valley Feeds

408 S. Blair, Springdale, Arkansas  
 Paonia, Colorado  
 Box 35, Pritchett, Colorado  
 Star Route, Crawford, Colorado  
 Otis, Colorado  
 1304 1st Ave., Kearney, Nebraska  
 219 W. Front St., North Platte, Nebr.  
 Route 1, Gill, Colorado  
 6701 Birch St., Adams City, Colorado  
 Mustang, Oklahoma  
 Rt. 1, Palisade, Colorado  
 Grant, Nebraska  
 2725 Elizabeth, Pueblo, Colorado  
 1022 Amazon St., Portales, New Mexico  
 P. O. Box 211, Derby, Colorado  
 2602 N. Chadburn, San Angelo, Texas  
 Russellville, Arkansas  
 4000 Clay St., Denver 11, Colorado  
 General Delivery, Cortez, New Mexico  
 2424½ E. Monument, Colo. Springs, Colo.  
 Main & Oneal, Buena Vista, Colorado  
 Cedaredge, Colorado  
 4446 Franklin Blvd., Eugene, Oregon  
 Box 126, Hotchkiss, Colorado  
 604 N. Virginia, Terrell, Texas  
 20 N. Wahsatch, Colo. Springs, Colo.  
 Box 82, Walsenburg, Colorado

This Order shall become effective ten days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
 OF THE STATE OF COLORADO

  
  
  
 Commissioners.

Dated at Denver, Colorado,  
 this 19th day of October, 1959.  
 mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE OF )  
VARIOUS CORPORATIONS, PARTNERSHIPS, )  
AND/OR PERSONS TO COMPLETE APPLICA- )  
TIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL (PRIVATE) CARRIERS BY )  
MOTOR VEHICLE IN THE STATE OF COLO- )  
RADO. )  
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October 19, 1959  
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S T A T E M E N T

By the Commission:

The records of the Commission show that the corporations, partnerships, and/or persons listed in the Order part of this Decision have paid to the Commission a filing fee for a Commercial (private) Carrier Permit to operate over the highways of the State of Colorado.

The records of the Commission further show that said applicants have failed to complete their applications in one or more of the following particulars as required by the Rules and Regulations Governing Commercial Carriers by Motor Vehicle in Colorado:

- (a) Failure to file completed application.
- (b) Failure to file request for cab cards.
- (c) Failure to file, or have filed, certificate of insurance.

The records of the Commission further show that all of the applicants listed in the Order part of this Decision have been duly notified by the Commission of their failure to comply with one or more of the above particulars.

F I N D I N G S

THE COMMISSION FINDS:

That the Statement should be made a part of these Findings.

That all of said proceedings heretofore instituted by the corporations, partnerships, and/or persons listed in the Order part of this Decision should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That each of the application proceedings heretofore commenced by the following corporations, partnerships, and/or persons before this Commission to obtain authority to operate as a Commercial (private carrier by motor vehicle over the highways of the State of Colorado, be, and the same hereby are, dismissed:

C & S Trucking Co.	1620 E. 2nd St., Pueblo, Colorado
C K Distributors	1425 Center, Burlington, Colorado
CYWD Mining Co.	Lake George, Colorado
Jess W Cagle	1811 W. Parkview, Caruthersville, Mo.
Calif. Sportswear Corp. of Colo.	1028 Acoma St., Denver 4, Colorado
Herman G. Campbell	General Delivery, Melissa, Texas
Lino Campos	Granada, Colorado
Pete Caponera	410 Cimarron, La Junta, Colorado
Roy Elvin Capps	502 Garrish, McKinney, Texas
Fred Cardenas	1312 Joliet, Pueblo, Colorado
Loyd Cardiff	General Delivery, Walsh, Colorado
W. L. Carey	Royston, Georgia
Edward Carl	Rochester, Minnesota
Gary Carlill	795 Fig, Golden, Colorado
Carlson & Fast Construction Co.	Strasburg, Colorado
Carlson Construction	1103 S. Summit, Newcastle, Wyoming
Earl Carpenter	Colby, Kansas
Roman Carrasco	1134 Waverly, San Antonio, Texas
Rex Carroll	1407 S. 2nd, La Mesa, Texas
James W. Carter	2201 Allison, Lakewood, Colorado
Cipriano & Consuelo Casarez	Rt. 1, Sedgwick, Colorado
Orville Casteel	Rt. 1, Box 186, LaSalle, Colorado
Orville Casteel	General Delivery, Evans, Colorado
Con Castro	Rt. 1, Box 416, Pueblo, Colorado
Central Sewing Center, Inc.	313 E. Colfax, Denver 6, Colorado
Steve Chacon	3425 W. Center, Denver 19, Colorado
Walter E. Chambers	Rt. 2, Box 344A, Delta, Colorado
O. E. Chancey	Elkhart, Kansas
Chandler Produce	6705 St. Augustine, Houston, Texas
Victor O. Chapman	P. O. Box 25, Rye, Colorado
Chattanooga Glass Co.	Alton Park, Chattanooga, Tennessee
Adeliado Laido Chavez	General Delivery, Romeo, Colorado
W. C. Cheney	4202 E. 16th, Amarillo, Texas
Alton Cheeck, Jr.	Rt. 2, Las Animas, Colorado
Chet's Kitchen	1532 Pearl, Boulder, Colorado
Chet's Ranch Market	1800 Santa Fe Dr., Pueblo, Colorado
Orrin W. Christensen	Box 836, Moab, Utah
Deloss M. Christiam	Lake of the Forest, Bonner Springs, Kans.
Ernest Citron	8A Longs Peak Dr., Greeley, Colorado
City Service	122 W. 6th, Walsenburg, Colorado
Herbert Wayne Clark	Burlington, Colorado
Ray C. Clark and Bobby Claunch	Box 529 Rt. 2, Las Lunas, New Mexico
Clipper Mfg. Co.	Box 4266, Ft. Worth, Texas
Carl E. Cloud	Palisade, Colorado
C. H. Coatney	Rt. 1, Box 184, Pueblo, Colorado
Charles Coble	521 W. Dallas, Wichita, Kansas
Bryan S. Collett	Box 322, Duchesne, Utah
Curtis E. Cochrane	807 W. 3rd Ave., Denver 23, Colorado

George Coffee  
 Carl & Josephine Colantonio  
 Claude H. Collins  
 Russell Collins  
 Colorado Beryllium Corp.  
 Colorado Coach & Trailer Sales  
 Colorado Jobbers Supply Co.  
 Colo. Springs Milk Producers Assn.  
 Johnnie L. Conn  
 F. E. Conner  
 Faustin Cordova  
 Conservatory Music Center  
 Lawrence L. Cooley  
 Cooper & Sons Seed Co.  
 Cooper Motors, Inc.  
 Cooper Livestock Auction Co.  
 W. J. Cooper  
 Copar Pumice Co.  
 Reid Coppinger  
 Norman L. Cordill  
 Joe D. Cordova  
 Corn Belt Produce Co.  
 Serafin Cortez  
 J. Leo Corrigan Co.  
 Rodney O. Counselman  
 Jerry Cox  
 Arthur Leo Coyle  
 Coyote Canyon Trading Post  
 F. A. Cowart  
 Alva H. Craig  
 Robert B. Crane  
 Crawford Electric Co.  
 Crenshaw & Smith  
 Arthur A. Cressler  
 John W. Crockett  
 Harry & Edna Croft  
 Jerry A. Cross  
 Oddie V. Cross  
 T. J. Crouch  
 William F. Crowder  
 George Crow  
 Arthur B. Crowe  
 Jess Crumley  
 Mayo Culp  
 Blaine Cummings  
 Bud Commins  
 Earl Cummings  
 Jay Cure  
 Custom Craft Mfg. Corp.  
 D & D  
 D & R Truck Co.  
 James B. Dahl  
 Carl Dale  
 Dart Automotive Leasing Co. &  
 Metal Lab  
 Henry Fred Dashkawitz  
 Jack Lee Davis  
 Gary D. Davis  
 Davis Oil Sales  
 Phillip Davison  
 Ronald Lee Davison  
 General Delivery, Manzanola, Colorado  
 Bon Carbo, Colorado  
 General Delivery, Antonito, Colorado  
 N. 1st and Townsend, Montrose, Colorado  
 155 N. College Ave., Ft. Collins, Colo.  
 2841 W. Alameda, Denver 19, Colorado  
 875 Broadway, Denver 3, Colorado  
 512 E. Cucharas, Colo. Springs, Colorado  
 Rt. 1, Box 29, Sidney, Nebraska  
 4354 S. Acoma, Englewood, Colorado  
 2005 E. 12th, Pueblo, Colorado  
 704 E. Colfax, Denver 3, Colorado  
 813 San Lorenzo Dr., Albuquerque, N. Mex.  
 309 S. Broadway, Sterling, Kansas  
 Box 278, Walden, Colorado  
 1543 Cooper St., Pueblo, Colorado  
 515 Cherry St., Colby, Kansas  
 Box 38, Espanola, New Mexico  
 Hesperus, Colorado  
 545 S. Phillips, Salina, Kansas  
 Box 559, Walsenburg, Colorado  
 Omaha, Nebraska  
 1312 Joliet, Pueblo, Colorado  
 2817 Marilyn Road, Colo. Springs, Colo.  
 Evergreen, Colorado  
 802 Lubbock Rd., Brownsfield, Texas  
 8920 W. 55th Ave., Arvada, Colorado  
 Brimhall, New Mexico  
 3368 Crite St., Ft. Worth, Texas  
 2830 North Ave., Grand Junction, Colo.  
 248 E. 52nd Ave., Denver 16, Colorado  
 Ft. Morgan, Colorado  
 Box 692, Farmington, New Mexico  
 Dove Creek, Colorado  
 Walden, Colorado  
 Box 74, Littleton, Colorado  
 Rt. 2, Box 43, Olathe, Colorado  
 Box 1593, Cortez, Colorado  
 810 W. Main, Artesia, New Mexico  
 134 E. 22nd, Loveland, Colorado  
 Eads, Colorado  
 333 N. Commercial, Trinidad, Colorado  
 452 $\frac{1}{2}$  E. 56th Ave., Denver 16, Colorado  
 Junction, Texas  
 Box 204, Arco, Idaho  
 Box 63, Arco, Idaho  
 Rand, Colorado  
 Vernon, Texas  
 Halls, Tennessee  
 Rt. 1, Paonia, Colorado  
 Box 7545, Lakewood, Colorado  
 1702 W. Platte, Colorado Springs, Colo.  
 510 15th Ave., Greeley, Colorado  
 207 Duffey Ave., Hickville, New York  
 800 W. Mississippi Ave., Denver 23, Colo.  
 Box 392, Gunnison, Colorado  
 128 Bowen, Longmont, Colorado  
 761 S. Miller, Farmington, New Mexico  
 332 E. 8th, Springfield, Colorado  
 3786 S. Acoma, Englewood, Colorado

Billy Dawson  
Jim Dean  
Matthew J. Debelock  
Gomcindo Deherrera  
Frank M. DeLeo  
John C. Denning & Co., Inc.  
Tracy Denton  
DeShazer Chevrolet Co.  
Alfred Dick  
Robert Dick  
Raymond Dickey & Carlos Wright  
Diesel Supply Co.  
T. W. dillahunty  
Richard Dillon  
Darrel Dix  
Anthony T. Doderer  
Burley Dodson  
Dolberg & Bauer  
Dolsky Produce Co.  
Don's Cars  
L. B. Doss  
Double Jay Mfg. Co., Inc.  
Douglas Mines & Quarries, Inc.  
Doug's Trailer & Cars  
Harold Lee Dowell, Jr.  
Elmer L. Dressel  
Drilling Fluids Corp.  
Foster Dudgeon  
Ralph Duffer  
Norman Dufur  
Frank Allen Dunn  
John A. Dunnegan  
Serafin Duran

Brandon, Colorado  
Alma, Arkansas  
Box 551, Palisade, Colorado  
General Delivery, Eaton, Colorado  
116 Lower 1st St., Salida, Colorado  
Camp, Colorado  
4262 Millington Rd., Memphis, Tennessee  
536 Main, Delta, Colorado  
Bowie, Texas  
Box 166, Cyril, Oklahoma  
3914 E. 3rd, Lubbock, Texas  
524 2nd St., San Francisco, California  
Box 162, Pagosa Springs, Colorado  
Box 1412, Cortez, Colorado  
2606 Ontario, Pueblo, Colorado  
Platteville, Colorado  
5061 W. Nevada Pl., Denver 19, Colorado  
1744 1st Ave., Greeley, Colorado  
401 Linden, Ft. Collins, Colorado  
401 W. 1st, Provo, Utah  
4629 S. E. 21st St., Oklahoma City, Okla.  
Kansas City, Kansas  
Castle Rock, Colorado  
City Route 7, Kalispell, Montana  
Uravan, Colorado  
2257 W. Evans, Denver 25, Colorado  
Box 605, Aztec, New Mexico  
Kirksville, Missouri  
Box 704, Cortez, Colorado  
Box 441, Dolores, Colorado  
1107 Carr, Lakewood, Colorado  
Rt. 1, Clifton, Colorado  
Aguilar, Colorado

This Order shall become effective ten days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph F. Nigro*  
*Ralph C. Horton*  
*Henry S. Aulick*  
Commissioners.

Dated at Denver, Colorado,  
this 19th day of October, 1959.

mls

original

(Decision No. 53183)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CITIZENS UTILITIES COMPANY, LA )  
JUNTA, COLORADO, FOR AN ORDER AUTHOR- )  
IZING A METHOD OF ACCOUNTING FOR IN- )  
COME TAX DEFERRAL DUE TO COMPUTATION )  
OF THE DEPRECIATION ALLOWANCES PUR- )  
SUANT TO THE PROVISIONS OF SECTION )  
167 (b) (3) OF THE INTERNAL REVENUE )  
CODE OF 1954. )  
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APPLICATION NO. 17088

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October 9, 1959  
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Appearances: Thulemeyer & Steward, Esqs.,  
La Junta, Colorado, by  
Lawrence Thulemeyer, Esq.,  
for Applicant;  
J. M. McNulty, Denver, Colo-  
rado, and  
E. R. Thompson, Denver, Colo-  
rado, for the Commission.

S T A T E M E N T

By the Commission:

This application of Citizens Utilities Company, hereafter referred to as "Citizens," was filed May 5, 1959, and pursuant to notice of hearing issued by the Commission was duly heard by the Commission on June 16, 1959, at 10:00 o'clock A. M., in the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, and at the conclusion thereof was taken under advisement.

No petitions of intervention were filed with the Commission prior to the hearing and no one appeared at the hearing as a protestant.

This application of Citizens was filed pursuant to Article 4, Chapter 115, Colorado Revised Statutes 1953. Citizens in this application seeks from this Commission authority to employ a method of accounting for income tax deferrals due to computation of depreciation

allowances (sum of the years digits method) pursuant to election under Section 167 (b) (3) of the Internal Revenue Code 1954 and to make accounting entries of the items appearing in the table below which are the result of taking accelerated depreciation by the sum of the years digits method:

<u>Account</u>	<u>1955</u>	<u>1956</u>	<u>1957</u>	<u>1958</u>
507A - Provision for Deferred Taxes on Income	\$4,842	\$4,861	\$6,044	\$7,928
266 - Accumulated Deferred Taxes on Income	\$4,842	\$9,703	\$15,747	\$23,675

Citizens is a Delaware corporation authorized to do business in the State of Colorado and is engaged in the business of distributing natural gas in the Counties of Bent, Otero, and Crowley, Colorado, with its local office at 15 West Fourth Street, La Junta, Colorado. Administrative offices are located at Ridgeway Center, Stamford, Connecticut.

Citizens is a gas utility under the jurisdiction of this Commission and is required to keep its books and accounts in accordance with the uniform system of accounts for gas utilities as prescribed by this Commission. This uniform system of accounts does not specifically prescribe a method of accounting for the Federal Income Tax results from accelerated depreciation of depreciable property pursuant to the provisions of Section 167 of the Internal Revenue Code of 1954.

This Commission, by order and Decision No. 41748, dated December 15, 1953, in Application No. 12631, prescribed the method of accounting for the Federal income tax results of accelerated amortization of the cost of certain certificated emergency facilities under the provisions of Section 124A of the Internal Revenue Code of 1939, as amended, (Section 168 of the Internal Revenue Code 1954), which embraced accounting principles which are deemed appropriate to be used in accounting for Federal Income Tax results of accelerated depreciation under Sec-

tion 167 of the Internal Revenue Code. Simply stated, the procedure in the earlier years are (1) straight line depreciation shall be taken bookwise, (2) an amount equal to the reduction in income taxes shall be charged to an operating revenue deduction account, and (3) an equal amount shall be credited to a restricted surplus account. In the later years when accelerated depreciation is less than straight line, such "increase" in income taxes shall be charged to this restricted surplus account and credited to another revenue deduction account.

Section 167 of the Internal Revenue Code provides with certain limitations that depreciation allowances for income tax purposes computed under any of the following methods are to be considered reasonable for new property acquired or constructed after December 31, 1953:

- (a) The straight line method;
- (b) The declining balance method, using not more than twice the straight line rate;
- (c) The sum of the years digits method; and
- (d) Any other method consistently applied which will not, during the first two-thirds of the useful life of the property, result in a total allowance in excess of the allowance which would have been accrued during such period under the declining balance method.

The general purpose in allowing said alternative methods is to permit businesses, for Federal Income Tax purposes, to write off a greater portion of depreciation expense in the early years of the life of depreciable property with the result that a portion of the Federal Income Tax which would ordinarily be paid in the early part of the depreciation period, may be deferred to the later portion of said period.

Citizens seeks authority to account for deferred income taxes resulting from the use of accelerated depreciation under Section 167 (b) (3) (sum-of-the-years-digits method) of the Internal Revenue Code of 1954

in the following manner:

- (a) Citizens will, for book purposes, take depreciation on a straight line basis on property on which accelerated depreciation will be taken for tax purposes;
- (b) During the period when depreciation allowances computed pursuant to Section 167 (b) (3) of the Internal Revenue Code of 1954 exceed depreciation allowable under the straight line method, Citizens proposes to charge to Account 507A, "Provision for Deferred Taxes on Income," an amount for each year equal to deferral of income taxes for that year attributable to the excess of depreciation allowances computed by the sum-of-the-years-digits method over straight line depreciation allowable with a corresponding credit to Account 266, "Accumulated Deferred Taxes on Income." (This account is one used by Federal Power Commission and is a special reserve rather than a restricted surplus account.)
- (c) During the period when depreciation allowances computed by the sum-of-the-years digits method are less than depreciation which would have been allowable under the straight line method, Citizens proposes to charge to Account 266, "Accumulated Deferred Taxes on Income" until such account is exhausted and credit to Account 507B, "Taxes on Income Deferred in Prior Years," an amount for each year equal to the increase in income taxes payable for such years.

Citizens operates properties in several states of which the



gas operations of Colorado are a part. The company is required by Rule 26 of the Rules of Practice and Procedure of this Commission to maintain its books and records in accordance with the Uniform System of Accounts adopted by this Commission and file its annual report on forms supplied by this Commission.

Citizens for the years 1955 to 1958, inclusive, has not reported the taking of accelerated depreciation for tax purposes or the accounting for deferred income taxes. Also, the report is not on a company basis, but includes only information which Citizens' management feels applicable to Colorado. Federal income taxes shown in respective reports 1955 to 1958, inclusive, are the results of taking 52% of operating income after deduction of Colorado income taxes without any deduction for interest on long term debt or for any portion of the Federal income tax surtax credit. The Company does not report any figures for the Citizens Utilities Company on a company wide basis such as plant, depreciation reserve, long term debt and capital, as well as all the other items appearing on the balance sheet form. Likewise, the operating statement shows no company figures, but merely those items of revenue, expenses and deductions which the Company's management chooses to show as pertaining to Colorado operations.

In the Order to follow, Citizens will be required to file with this Commission annually certain complete financial statements for the Citizens Utilities Company.

Applicant's witness, during cross-examination, consented to supply the Commission as late filed Exhibits, (1) a schedule of the plant account by the Uniform System of Accounts on which accelerated depreciation is being taken year by year for the years 1955 to 1958, inclusive, (2) a corresponding schedule of depreciation rates for such classes of property on a straight line basis, and (3) a copy of the Company's annual report to the Federal Power Commission for the year

1958. Such exhibits were received September 10, 1959.

The benefits to be derived by the use of accelerated depreciation for Federal income tax purposes are recognized by this Commission. As set forth above, this Commission has previously prescribed a method of accounting for deferred Federal income taxes resulting from accelerated amortization of certificated emergency facilities and has prescribed a similar accounting method for the accounting for deferred Federal income taxes resulting from accelerated depreciation under Section 167 of the Internal Revenue Code.

However, in view of the fact that Citizens has properties other than those in Colorado in which it takes accelerated depreciation and is now currently crediting the reduction in income taxes to an Account 266, "Accumulated Deferred Taxes on Income," which is a contingency reserve account, an exception will be made in this case and in the Order to follow, Citizens will be authorized to credit this reduction in income taxes to this Account No. 266, rather than to a restricted surplus account otherwise prescribed by this Commission. And thusly, during the period when allowances for accelerated depreciation of property, under Section 167 of the Internal Revenue Code of 1954, are less than the deduction that would be allowable under the tax depreciation method heretofore used, Citizens shall charge such "increase" in income taxes to "Accumulated Deferred Taxes on Income" Account 266 until such account is exhausted and credit a similar amount to a special operating deduction account entitled "Federal Income Taxes Deferred in Prior Years."

Since January 1, 1955, Citizens has computed depreciation allowance on the sum-of-the-years-digits method for qualifying property in Colorado and seeks authority to enter in its books the deferred income tax amounts set forth on page 1 of this Statement. Citizens at the hearing did not show how such amounts were computed, nor, has the Staff any way of verifying the correctness of these deferred income tax

items. Therefore, in the Order to follow, the Commission will not approve the amounts as such, but will authorize the accounting procedures for booking such items referred to as deferred income taxes.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

That Citizens Utilities Company is a public utility as defined in Article 1, Section 3, Chapter 115, Colorado Revised Statutes 1953.

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

That the Commission is fully advised in the premises.

That the method of accounting for Federal Income Tax results from accelerated depreciation for depreciable property pursuant to the provisions of Section 167 of the Internal Revenue Code of 1954 proposed by Citizens as set forth in the foregoing Statement, which by reference is made a part hereof, is in the public interest and should be approved.

That the Commission should retain jurisdiction of the matter so that in event circumstances in the future would warrant, the Commission could reopen the matter, and in the light of the then known circumstances, make further determination at such time as to whether or not a tax saving or a deferral of such taxes has taken effect. It is especially understood also that the method of accounting prescribed herein should not be binding on the Commission, either as to ultimate disposition of the reserve, or in a rate case, or in any matters where rates or valuation are involved.

### O R D E R

#### THE COMMISSION ORDERS:

That Citizens Utilities Company, La Junta, Colorado, be, and

it is hereby, authorized to adopt the following method of accounting for Federal Income Tax results from the accelerated depreciation of depreciable property, pursuant to the provisions of Section 167 of the Internal Revenue Code of 1954:

- (a) That Citizens shall account for property with respect to which accelerated depreciation is taken pursuant to its election under Section 167 of the Internal Revenue Code of 1954 in the same manner as other utility property of the Applicant, that is, by accruing depreciation allowances for such property on its books at normal rates on a straight line basis.
- (b) That Applicant, during the period when the allowances for accelerated depreciation of property under Section 167 of the Internal Revenue Code of 1954 are more than the deduction allowable under the tax depreciation method heretofore followed, shall charge to a special operating deduction account, entitled "Provision for Deferred Income Taxes," Account 507A, an amount for each year equal to the reduction in income taxes payable for that year due to the fact that allowances for accelerated depreciation of property are in excess of those which would be allowable under the tax depreciation method heretofore used, with a corresponding credit to Account 266, "Accumulated Deferred Taxes on Income."
- (c) That Citizens, during the period when the allowances for accelerated depreciation of property under Section 167 of the Internal Revenue Code of 1954 are less than the deduction that would be

allowable under the tax depreciation method heretofore used, shall charge to Account 266, "Accumulated Deferred Taxes on Income" until such account is exhausted, and credit to a special operating deductions account "Taxes on Income Deferred in Prior Years," an amount for each year equal to the increase in Income Taxes payable for that year.

- (d) That Citizens shall enter on its books pertaining to Colorado operations for the prior years 1955 to 1958, inclusive, such deferred income taxes as it may deem proper, all subject to later check and verification.
- (e) Citizens shall file with this Commission each year, in addition to the data now supplied in its annual report to this Commission, (1) the Balance Sheet of the Citizens Utilities Company, and (2) the Statement of Income for Citizens Utilities Company. Such schedules shall be in such form and detail as appear respectively on pages 12, 13, 16 and 17 of FPC Form No. 1, the Company's annual report to the Federal Power Commission.

That the Commission shall retain jurisdiction of this matter so that in event circumstances in the future would warrant, the Commission can reopen the matter, and, in the light of the then known circumstances, make a further determination at such time as to whether or not a tax saving or a deferral of such taxes has taken effect, it being especially understood also, that the method of accounting prescribed herein shall not be binding on the Commission either as to the ultimate disposition of the reserve, Accumulated Deferred Taxes on Income, or in a rate case or in any matter where rates or valuation are involved.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Joseph C. Hobart  
Henry J. Paulengo  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

mls

original

(Decision No. 53184)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LEONARD HOAGLUND, MINTURN, COLORADO, )  
FOR AUTHORITY TO EXTEND OPERATIONS ) APPLICATION NO. 17315-PP-Extension  
UNDER PERMIT NO. B-5259. )  
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-----  
October 8, 1959  
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Appearances: Robert G. McIlhenney, Esq.  
Denver, Colorado, for  
Applicant;  
Leslie R. Kehl, Esq., Denver,  
Colorado, for Denver-  
Chicago Transport, Inc.;  
Barlow's Service, Inc.;  
Ward Transport, Inc.; and  
Melton Transport Company;  
Frank C. Klein, Denver, Colo-  
rado, for Frank C. Klein  
and Company, Inc.;  
Raymond B. Danks, Esq., Den-  
ver, Colorado, for Colorado  
Transfer and Warehousemen's  
Association, and Weicker  
Transfer and Storage Com-  
pany.

S T A T E M E N T

By the Commission:

The applicant herein is the owner and operator of Permit No.

B-5259, authorizing:

Transportation of sand, gravel, and other  
road-surfacing materials used in the con-  
struction of roads and highways, from pits  
and supply points in the State of Colorado,  
to road jobs, mixer and processing plants  
within a radius of fifty miles of said pits  
and supply points; sand and gravel, from  
pits and supply points in the State of Colo-  
rado, to railroad loading points, and to  
homes and small construction jobs within a  
radius of fifty miles of said pits and  
supply points; sand, gravel, dirt, stone,  
and refuse, from and to building construc-  
tion jobs, to and from points within a ra-  
dius of fifty miles of said jobs; insulrock,  
from pits and supply points in the State of  
Colorado, to roofing jobs within a radius of  
fifty miles of said pits and supply points.

By this application, applicant seeks authority to extend his operations thereunder by expanding his territory to a 150-mile radius instead of a 50-mile radius of pits and supply points, and for the additional transportation of hot-mix and asphalt and earth-moving equipment.

The above application was regularly set for hearing and heard at 330 State Office Building, Denver, Colorado, on October 6, 1959, and at the conclusion thereof, the matter was taken under advisement.

At the hearing, Troy Bobo, the Secretary of Shore Bailey Construction Company, stated he was second in command in the management of the company, and is the accountant and secretary, and operates out of the office of the company. He stated that the authority applicant presently holds is not adequate to take care of their needs on the transportation of sand and gravel for the reason that in certain parts of the State of Colorado they do not have suitable sand and gravel or road-surfacing materials, to meet conditions, and oftentimes they are called upon to get this road-surfacing material further away than a 50-mile radius of their road project. He stated they would use applicant's service for the distribution of hot-mix on the roads, and, at times, might use applicant's service for hauling asphalt, especially in small lots. For the transportation of earth-moving equipment and other construction equipment, the witness stated that they had equipment, and, generally, used their own equipment in moving their tractors, shovels, etc., from one job site to another. It appears that the applicant is a sub-contractor who hauls the road-surfacing material on the job; that he has large dump trucks and when they move he could use these large dump trucks in moving the equipment from one site to another.

Leonard Hoaglund, the applicant herein, stated that he had a net worth of approximately \$112,000, and is operating some fifteen



pieces of equipment; that he was presently sub-contracting under Shore Bailey Construction Company, and desired to extend his authority to fit the needs of Shore Bailey Construction Company, together with other contractors for whom he has worked in the past. He stated he would be willing to limit his equipment to dump trucks, not only for the handling of sand, gravel and road-surfacing materials, but also for hot-mix and earth-moving equipment. For the hauling of asphalt, he stated he had made arrangements to lease equipment from W. R. Hall of Grand Junction, and had made oral arrangements to lease said equipment.

Several witnesses appeared protesting the granting of the application. However, the Attorney for Colorado Transfer and Warehousemen's Association and Weicker Transfer and Storage Company withdrew all protests if the applicant were limited to the use of dump trucks only on all commodities except the transportation of asphalt.

All witnesses who appeared to protest had no objection to the extension of the authority asked for with the exception of the transportation of asphalt. So, the only thing the Commission is called upon to decide is whether or not applicant made sufficient showing for the transportation of asphalt. We are of the opinion that the commodity hot-mix is included in "other road-surfacing materials" but see no harm in placing it in their authority.

Protestants went into considerable detail as to the equipment they operated, their availability for service, and the transportation service they offer to the public. We cannot say, after hearing the evidence, that the granting of a limited authority would impair their service, if the authority were limited to one customer, only, viz., Shore Bailey Construction Company. However, after a careful review of the evidence, the Commission is not satisfied that the granting of this authority would be in the public interest.

Applicant proposes to lease equipment from an existing common carrier. That, the Commission does not favor, and we are not satisfied that the proposed service for the transportation of asphalt is needed by applicant's customers. Nor can we say that the present service offered for the transportation of asphalt is inadequate, and if there is any criticism of that service that the Commission, by order, could not correct it.

Therefore, we are of the opinion that as far as the transportation of asphalt is concerned, the application should be denied.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the application herein should be granted so far as it pertains to all commodities asked for except the transportation of asphalt, as more fully set forth in our Statement, which, by reference, is made a part of these Findings.

### O R D E R

#### THE COMMISSION ORDERS:

That Leonard Hoaglund, Minturn, Colorado, be, and he is hereby, authorized to extend his operations under Permit No. B-5259 to include the transportation of sand, gravel, hot-mix, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 150 miles (rather than 50 miles, as presently authorized) of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of 150 miles of said pits and supply points; sand, gravel, dirt, stone and refuse, from and to building construction jobs, to and from points within a radius of/said jobs; 150 miles of insul-rock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 150 miles of said pits and supply points; earth-

moving equipment and other construction equipment, within a radius of 150 miles from the road or other construction job point within the State of Colorado, all operations for transportation of road-surfacing materials authorized hereunder being restricted to the use of dump trucks, only.

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

That, in all other respects, the application be, and hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph F. Nigro*  
*Joseph C. Holman*  
*Samuel E. Paulengo*  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

mls

original

(Decision No. 53185)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
PUBLIC SERVICE COMPANY OF COLORADO, )  
900 FIFTEENTH STREET, DENVER, COLO- )  
RADO, FOR A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY, AUTHOR- )  
IZING EXERCISE OF FRANCHISE RIGHTS ) APPLICATION NO. 17326-Extension  
IN THE CITY OF BRUSH, COUNTY OF )  
MORGAN, STATE OF COLORADO, FOR THE )  
PURCHASE, MANUFACTURE, GENERATION, )  
TRANSMISSION, DISTRIBUTION AND SALE )  
OF ELECTRICITY AND GAS, EITHER )  
NATURAL, ARTIFICIAL, OR MIXED, IN )  
SAID CITY. )  
-----)

-----  
October 8, 1959  
-----

Appearances: Lee, Bryans, Kelly and  
Stansfield, Esqs.,  
Denver, Colorado, by  
Fletcher Thomas, Esq.,  
Denver, Colorado,  
for Applicant;  
Leona Dixon, Town Clerk,  
Firestone, Colorado,  
for the Town of Firestone;  
J. M. McNulty, Denver, Colo-  
rado, for the Staff of  
the Commission.

S T A T E M E N T

By the Commission:

The above-entitled application was filed with this Com-  
mission on August 14, 1959, and, after due notice to all interested  
parties, was set for hearing on Friday, October 2, 1959, at ten  
o'clock A. M., at the Hearing Room of the Commission, 330 State  
Office Building, Denver, Colorado. At said time and place the  
matter was heard upon a consolidated record with Public Service  
Company of Colorado, Applications Nos. 17327 and 17328. At the  
conclusion of the hearing, the matter was taken under advisement  
by the Commission.

Applicant is a corporation, organized and existing under and by virtue of the laws of the State of Colorado, and is a public utility operating company subject to the jurisdiction of this Commission, engaged primarily in the generation, purchase, transmission, distribution and sale of electrical energy, and in the purchase, distribution and sale of natural gas at various points within the State of Colorado. The principal office and address of Applicant is 900 Fifteenth Street, Denver, Colorado. A certified copy of Applicant's Composite Certificate of Incorporation, together with all amendments thereto, has been filed with this Commission.

The application showed that on June 8, 1959, the Board of Trustees of the City of Brush, Morgan County, Colorado, duly passed and adopted Ordinance No. 232 of the City of Brush, entitled as follows:

AN ORDINANCE GRANTING A FRANCHISE BY THE CITY OF BRUSH, MORGAN COUNTY, COLORADO, TO PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO LOCATE, BUILD, CONSTRUCT, ACQUIRE, PURCHASE, EXTEND, MAINTAIN AND OPERATE INTO, WITHIN AND THROUGH THE CITY OF BRUSH, A PLANT OR PLANTS, SUBSTATIONS, AND WORKS, FOR THE PURCHASE, MANUFACTURE, GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY AND GAS, EITHER NATURAL, ARTIFICIAL OR MIXED, AND TO FURNISH, SELL AND DISTRIBUTE SAID ELECTRICAL ENERGY AND GAS TO THE CITY OF BRUSH AND THE INHABITANTS THEREOF, FOR LIGHT, HEAT AND POWER OR OTHER PURPOSES BY MEANS OF PIPES, MAINS, CONDUITS, CABLES, POLES AND WIRES STRUNG THEREON, OR OTHERWISE, ON, OVER, UNDER, ALONG, ACROSS AND THROUGH ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES, AND OTHER PUBLIC WAYS AND PLACES IN SAID CITY OF BRUSH, AND FIXING THE TERMS AND CONDITIONS THEREOF.

The above-entitled franchise was granted by virtue of a special municipal election held in the City of Brush on the 19th day of May, 1959. The tally of the votes showed 782 votes being cast for granting and 549 votes being cast against granting of said franchise. The term of said franchise is for a period of twenty years. A certified copy of the franchise, together with an Abstract of Votes Cast in the special election, and the Acceptance

by the Company of the franchise, was introduced at the hearing, marked Exhibit "A", and, said exhibit, by reference, is made a part hereof.

Applicant's witness at the hearing, Mr. H. M. Edmonds, testified that Applicant has been serving electricity and gas to the City by virtue of Ordinances Nos. 182 and 183 of April 11, 1951, and under the authority of this Commission to exercise said franchise rights in the City, granted respectively in Application No. 11271, Decision No. 37227, of August 7, 1951, for gas service, and in Application No. 11270, Decision No. 37226, of August 17, 1951, for electric service. The terms of these franchises had not yet expired when Applicant received its new franchise by virtue of Ordinance No. 232, heretofore referred to.

The witness further testified that according to the 1950 census, the City of Brush had a population of 2,431, and the Company estimated the present population to be 4,100. The Company is serving 1,104 electric customers and 852 gas customers in the City. Electricity is supplied to the City by means of electric generation at Sterling, Colorado, and Applicant can also supply service by means of a wheeling arrangement with the Bureau of Reclamation from Public Service central system. Gas is obtained by the Company for distribution to the Town from Natural Gas Producers, Inc., its wholesale supplier for this area. Natural gas sold by Applicant is odorized prior to sale to its customers, and the Company plans to continue to odorize all gas. Existing facilities will be utilized in continuing service to the said City.

The witness also testified that the Company expected to spend \$250,000 for capital investment on its electric system in the City during the life of the franchise. The witness also estimated that the Company would spend \$300,000 for capital investment on its gas system during the term of the franchise. These figures will be used as the basis for a charge for the issuance of the certificate

sought herein, but will not be binding upon the Commission in any subsequent investigation where valuation may be an issue.

There is no other public utility engaged in the business of distributing and selling electricity or gas in the City of Brush.

No one appeared in opposition to the granting of the authority sought. The Commission is of the opinion that the authority sought herein should be granted.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the Commission has jurisdiction of Applicant herein, Public Service Company of Colorado, and of the subject matter involved in the instant application.

That the Commission is fully advised in the premises.

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

That public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado of the franchise rights granted in and by Ordinance No. 232 of June 8, 1959, for the purchase, manufacture, generation, transmission, distribution and sale of electricity and gas in said City, and that a certificate of public convenience and necessity should issue therefor.

### O R D E R

#### THE COMMISSION ORDERS:


That public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado of the franchise rights granted in and by Ordinance No. 232 of the City of Brush, dated June 8, 1959, marked Exhibit "A" herein, which, by reference, is made a part hereof, and the purchase, manufacture, generation, transmission, distribution and sale of electricity and gas by Public Service Company of Colorado in said City, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That Public Service Company of Colorado shall install, operate and maintain its electric and gas systems and supply service in the area heretofore designated, in accordance with its schedules of electric and gas rates, classifications, rules and regulations now on file with this Commission or as the same may be changed according to law and the rules and regulations of this Commission.

That Public Service Company of Colorado shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts, and shall continue to keep its practices as to the testing of meters, customers' deposits and operations, records of meters and complaints in accordance with the Commission's requirements.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Joseph F. Regio  
Ralph C. Holm  
Alvin E. Zuleygo  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

ea



original

(Decision No. 53186)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
PUBLIC SERVICE COMPANY OF COLORADO, )  
900 FIFTEENTH STREET, DENVER, COLO- )  
RADO, FOR A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY, AUTHOR- )  
IZING EXERCISE OF FRANCHISE RIGHTS )  
IN THE CITY OF LEADVILLE, COUNTY OF )  
LAKE, STATE OF COLORADO, FOR THE )  
PURCHASE, GENERATION, TRANSMISSION, )  
DISTRIBUTION AND SALE OF ELECTRICITY )  
IN SAID CITY AND FOR THE DISTRIBUTION )  
AND SALE OF ELECTRICITY IN THE AREA )  
CONTIGUOUS TO SAID CITY AND ALONG THE )  
TRANSMISSION AND DISTRIBUTION LINES )  
EXTENDING TO AND EMANATING FROM THE )  
CITY. )  
----- )

APPLICATION NO. 17327-Extension

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October 8, 1959  
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Appearances: Lee, Bryans, Kelly and  
Stansfield, Esqs., Denver,  
Colorado, by  
Fletcher Thomas, Esq.,  
Denver, Colorado, for  
Applicant;  
Leona Dixon, Town Clerk,  
Firestone, Colorado,  
for Town of Firestone;  
J. M. McNulty, Denver,  
Colorado, for the Staff  
of the Commission.

S T A T E M E N T

By the Commission:

The above-entitled application was filed with this  
Commission on August 14, 1959, and after due notice to all inter-  
ested parties was set for hearing on Friday, October 2, 1959, at  
ten o'clock A. M., at the Hearing Room of the Commission, 330  
State Office Building, Denver, Colorado. At said time and place,  
the matter was heard upon a consolidated record with Public Service  
Company Applications Nos. 17326 and 17328. At the conclusion of  
the hearing, the matter was taken under advisement by the Commission.

Applicant is a corporation, organized and existing under and by virtue of the laws of the State of Colorado, and is a public utility operating company subject to the jurisdiction of this Commission, engaged primarily in the generation, purchase, transmission, distribution and sale of electrical energy and in the purchase, distribution and sale of natural gas at various points within the State of Colorado. The principal office and address of Applicant is 900 Fifteenth Street, Denver, Colorado. A certified copy of Applicant's Composite Certificate of Incorporation, together with all amendments thereto, has been filed with this Commission.

The application showed that on May 5, 1959, the City Council of the City of Leadville, Lake County, Colorado, duly passed and adopted Ordinance No. 2-1959, entitled as follows:

AN ORDINANCE GRANTING A FRANCHISE BY THE CITY OF LEADVILLE, LAKE COUNTY, COLORADO, TO PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS TO LOCATE, BUILD, CONSTRUCT, ACQUIRE, PURCHASE, MAINTAIN AND OPERATE INTO, WITHIN AND THROUGH THE CITY OF LEADVILLE, A PLANT OR PLANTS, SUBSTATIONS, AND WORKS, FOR THE PURCHASE, GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY, AND TO FURNISH, SELL AND DISTRIBUTE SAID ELECTRICAL ENERGY TO THE CITY OF LEADVILLE, AND THE INHABITANTS THEREOF, FOR LIGHT, HEAT, AND POWER OR OTHER PURPOSES BY MEANS OF CONDUITS, CABLES, POLES AND WIRES STRUNG THEREON, OR OTHERWISE, ON, OVER, UNDER, ALONG, ACROSS, AND THROUGH ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES, AND OTHER PUBLIC WAYS AND PLACES IN SAID CITY OF LEADVILLE, AND FIXING THE TERMS AND CONDITIONS THEREOF.

The above-entitled franchise is for a period of twenty-five years. A certified copy of said franchise, together with Certificate as to Introduction, Passage and Signature by the Mayor, Certificate as to the Recording and the Acceptance by the Company of said franchise was introduced at the hearing and marked Exhibit "D" and said exhibit, by reference, is made a part hereof.

Applicant's witness at the hearing, Mr. H. M. Edmonds, testified that Applicant has been serving electricity in the City by virtue of a franchise, the terms of which had not yet expired and under the authority of this Commission to exercise said

franchise rights in the city, granted in Application No. 5852, Decision No. 18657, dated April 17, 1942.

Further testimony by the witness revealed that the 1950 census listed Leadville with a population of 4,081, and that the Company now estimates the population to be 4,300. The Company is presently serving 1,240 residential electric customers in the city. Electricity is supplied for service in Leadville and the surrounding territory from the central station interconnected system of the Company.

Evidence revealed that Applicant has also been transmitting and distributing electricity to customers in the area contiguous to said City and along distribution lines extending to and emanating from the city. Introduced as Exhibit "F" at the hearing was a map showing the location of said electric lines. In Application No. 15790, Decision No. 50984, of September 25, 1958, the Sangre De Cristo Electric Association was granted a certificate of public convenience and necessity to distribute electricity on a non-exclusive basis, together with Public Service Company of Colorado, in a certain defined territory in Lake County, Colorado. Applicant is not seeking by the instant application any modification of the Commission's order in Application No. 15790, it being the intent to fully comply with said order as it applies to Applicant herein.

The witness estimated that the Company expected to spend \$85,000 during the term of the franchise for additional capital investment on its electric system in the City of Leadville. This figure will be used as the basis for a charge for the issuance of the certificate sought herein, but will not be binding upon the Commission in any subsequent investigation where valuation may be an issue.

There is no other public utility engaged in the business of distributing and selling electricity in the City of Leadville. No one appeared in opposition to the granting of the authority sought.

The Commission is of the opinion that the authority sought herein should be granted.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the Commission has jurisdiction of the Applicant herein, Public Service Company of Colorado, and of the subject matter involved in the instant application.

That the Commission is fully advised in the premises.

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

That public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado of the franchise rights granted in and by Ordinance No. 2-1959 of May 5, 1959, for the purchase, generation, transmission, distribution and sale of electricity by said Company in the City of Leadville, and in the area contiguous thereto and along the transmission and distribution lines extending to and emanating from said City and in accordance with Application No. 15790, Decision No. 50984, of September 25, 1958, as said decision applies to a certain area outside the City Limits of Leadville, and that a certificate of public convenience and necessity should issue therefor.

### O R D E R

#### THE COMMISSION ORDERS:

That public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado, of the franchise rights granted in and by Ordinance No. 2-1959 of May 5, 1959, for the purchase, generation, transmission, distribution and sale of electricity by said Company in the City of Leadville, and in the area contiguous thereto and along the transmission and distribution lines extending to and emanating from said city and in accordance with Application No. 15790, Decision No. 50984, of September 25, 1958, as said decision applies to a certain area outside the City Limits of Leadville, and this Order shall be taken,

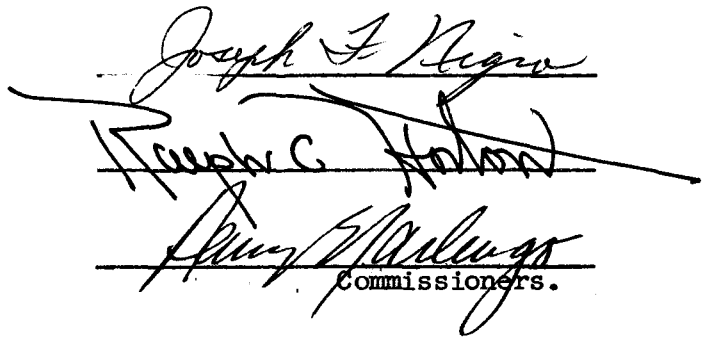
deemed and held to be a certificate of public convenience and necessity therefor.

That Public Service Company of Colorado shall install, operate and maintain its electric system and supply service in the area heretofore designated, in accordance with its schedules of electric, rates, classifications, rules and regulations now on file with this Commission or as the same may be changed according to law and the rules and regulations of this Commission.

That Public Service Company of Colorado shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts, and shall continue to keep its practices as to the testing of meters, customers' deposits and operations, records of meters and complaints in accordance with the Commission's requirements.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

ea

original

(Decision No. 53187)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
PUBLIC SERVICE COMPANY OF COLORADO, )  
900 FIFTEENTH STREET, DENVER, COLO- )  
RADO, FOR A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY, AUTHOR- )  
IZING EXERCISE OF FRANCHISE RIGHTS )  
IN THE TOWN OF FIRESTONE, COUNTY OF )  
WELD, STATE OF COLORADO, FOR THE )  
PURCHASE, GENERATION, TRANSMISSION, )  
DISTRIBUTION AND SALE OF ELECTRICITY )  
IN SAID TOWN. )  
-----)

APPLICATION NO. 17328-Extension

-----  
October 8, 1959  
-----

Appearances: Lee, Bryans, Kelly and Stans-  
field, Esqs., Denver, Colo-  
rado, by  
Fletcher Thomas, Esq., Denver,  
Colorado, for Applicant;  
Leona Dixon, Town Clerk, Fire-  
stone, Colorado, for the  
Town of Firestone;  
J. M. McNulty, Denver, Colorado,  
for the Staff of the Com-  
mission.

S T A T E M E N T

By the Commission:

The above-entitled application was filed with this Com-  
mission on August 14, 1959, and, after due notice to all inter-  
ested parties, was set for hearing on Friday, October 2, 1959, at  
ten o'clock A. M., at the Hearing Room of the Commission, 330  
State Office Building, Denver, Colorado. At said time and place,  
the matter was heard upon a consolidated record with Public Service  
Company of Colorado, Applications Nos. 17326 and 17327. At the  
conclusion of the hearing, the matter was taken under advisement  
by the Commission.

Applicant is a corporation, organized and existing under  
and by virtue of the laws of the State of Colorado, and is a public  
utility operating company subject to the jurisdiction of this Com-  
mission, engaged primarily in the generation, purchase, transmission,

distribution and sale of electrical energy and in the purchase, distribution and sale of natural gas at various points within the State of Colorado. The principal office and address of Applicant is 900 Fifteenth Street, Denver, Colorado. A certified copy of Applicant's Composite Certificate of Incorporation, together with all amendments thereto, has been filed with this Commission.

The application showed that on February 24, 1959, the Board of Trustees of the Town of Firestone, Weld County, Colorado, duly passed and adopted Ordinance No. 21 of the Town of Firestone, entitled as follows:

AN ORDINANCE GRANTING A FRANCHISE BY THE TOWN OF FIRESTONE, WELD COUNTY, COLORADO, TO PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO LOCATE, BUILD, CONSTRUCT, ACQUIRE, PURCHASE, MAINTAIN AND OPERATE INTO, WITHIN AND THROUGH THE TOWN OF FIRESTONE, A PLANT, OR PLANTS, SUBSTATIONS, AND WORKS, FOR THE PURCHASE, GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY, AND TO FURNISH, SELL AND DISTRIBUTE SAID ELECTRICAL ENERGY TO THE TOWN OF FIRESTONE, AND THE INHABITANTS THEREOF, FOR LIGHT, HEAT, AND POWER OR OTHER PURPOSES BY MEANS OF CONDUITS, CABLES, POLES AND WIRES STRUNG THEREON, OR OTHERWISE, ON, OVER, UNDER, ALONG, ACROSS AND THROUGH ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES, AND OTHER PUBLIC WAYS AND PLACES IN SAID TOWN OF FIRESTONE, AND FIXING THE TERMS AND CONDITIONS THEREOF.

The above-entitled franchise is for a period of twenty-five years and a certified copy of said franchise, together with the Certificate as to Introduction, Passage and Signature by the Mayor, the Certificate as to the Recording of the Ordinance, and the Acceptance by the Company of said franchise was introduced at the hearing and marked Exhibit "G" and said exhibit, by reference, is made a part hereof.

Applicant's witness at the hearing, Mr. H. M. Edmonds, testified that Applicant has been serving electricity in the Town by virtue of Ordinance No. 12 dated June 22, 1934, the terms of which had not yet expired, and under the authority of this Commission to exercise said franchise rights in the Town, granted in Application No. 2454, Decision No. 6624, dated August 12, 1935.

The witness further testified that the 1950 census listed the population of Firestone at 297, and it is probably the same figure at the present time. The Company is presently serving 29 electric customers in the Town. The witness further estimated that the Company expected to spend \$6,000 for capital additions to its system within the Town during the period covered by the franchise.

There is no other public utility engaged in the business of distributing and selling electricity in the Town of Firestone.

No one appeared in opposition to the granting of the authority sought.

The Commission is of the opinion that the authority sought herein should be granted.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the Commission has jurisdiction of Applicant herein, Public Service Company of Colorado, and of the subject matter involved in the instant application.

That the Commission is fully advised in the premises.

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

That public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado of the franchise rights granted in and by Ordinance No. 21, of February 24, 1959, for the purchase, generation, transmission, distribution and sale of electricity in said Town, and that a certificate of public convenience and necessity should issue therefor.

### O R D E R

#### THE COMMISSION ORDERS:

That public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado of the franchise rights granted in and by Ordinance No. 21 of the Town of



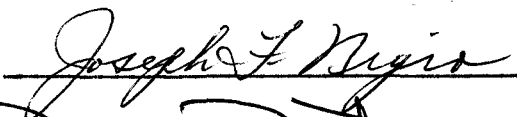
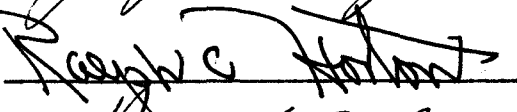

Firestone, dated February 24, 1959, marked Exhibit "G" herein which, by reference, is made a part hereof, for the purchase, generation, transmission, distribution and sale of electricity by Public Service Company of Colorado in said Town, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That Public Service Company of Colorado shall install, operate and maintain its electric system and supply service in the area heretofore designated in accordance with its schedules of electric rates, classifications, rules and regulations now on file with this Commission or as the same may be changed according to law and the rules and regulations of this Commission.

That Public Service Company of Colorado shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts, and shall continue to keep its practices as to the testing of meters, customers' deposits and operations, records of meters and complaints in accordance with the Commission's requirements.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

ea

original

(Decision No. 53188)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
W. E. DOWNEY, LOMA, COLORADO, FOR )	
AUTHORITY TO TRANSFER PERMIT NO. )	
B-1573 TO LOUIS P. GILLILAND, 529 )	APPLICATION NO. 17274-PP-Transfer
28 $\frac{1}{4}$ ROAD, GRAND JUNCTION, COLORADO, )	<u>SUPPLEMENTAL ORDER</u>
AND WILLIAM R. IRWIN, 3251 $\frac{1}{2}$ COLLYER )	
AVENUE, CLIFTON, COLORADO. )	
-----	

-----  
October 8, 1959  
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Appearances: H. K. Webster, Esq., Grand Junction, Colorado, and John P. Thompson, Esq., Denver, Colorado, for Transferor and Transferees;  
C. S. Haynie, Esq., Grand Junction, Colorado, for Litton Warehouse Co.;  
W. R. Hall, Grand Junction, Colorado, for W. R. Hall Transportation & Storage Co.

S T A T E M E N T

By the Commission:

By Decision No. 53068, dated September 22, 1959, the Commission authorized W. E. Downey, Loma, Colorado, to transfer all his right, title and interest in and to Permit No. B-1573 to Louis P. Gilliland, Grand Junction, Colorado, and William R. Irwin, Clifton, Colorado.

On October 1, 1959, "Petition for Rehearing" was filed in said matter by Thomas G. Litton and Eileen K Litton, co-partners, doing business as "Litton Warehouse Co.," by their Attorneys, Haynie and Golden, Grand Junction, Colorado.

The Commission has reviewed the evidence adduced at the hearing on said application, and has carefully considered said "Petition for Rehearing" filed herein and each and every allegation

thereof, and is of the opinion that said Petition should be denied.

F I N D I N G S

THE COMMISSION FINDS:

That "Petition for Rehearing" filed herein should be denied.


O R D E R

THE COMMISSION ORDERS:

That "Petition for Rehearing" in the above-styled matter, filed by Thomas G. Litton and Eileen K. Litton, co-partners, doing business as "Litton Warehouse Co.," by Haynie and Golden, Esqs., Grand Junction, Colorado, should be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Joseph F. Nigro  
Ralph C. Hobart  
Henry E. Salinger  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LAWRENCE SWAIN, 3309 STEELE STREET, )  
DENVER, COLORADO, FOR AUTHORITY TO )  
TRANSFER PUC NO. 3572 TO JOHN W. DE ) APPLICATION NO. 17387-Transfer  
NOOY AND DONALD ROSENDALE, CO-PART- )  
NERS, 2200 SOUTH ALBION STREET, DEN- )  
VER, COLORADO. )  
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-----  
October 8, 1959  
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Appearances: Lawrence Swain, Denver,  
Colorado, pro se;  
John W. DeNooy, Denver,  
Colorado, pro se;  
Robert E. McLean, Esq.,  
Denver, Colorado, for  
Associated Rubbish Re-  
moval Association.

S T A T E M E N T

By the Commission:

Lawrence Swain, Denver, Colorado, is the owner and operator  
of PUC No. 3572, authorizing:

transportation of ashes, trash and other  
waste materials, between points within  
the City and County of Denver, State of  
Colorado, and from points within the City  
and County of Denver, to regularly-design-  
ated and approved dumps and disposal  
places within the Counties of Adams,  
Arapahoe and Jefferson, State of Colorado,  
said operation to be limited to the use of  
one one-ton truck.

By the instant application, said certificate-holder seeks  
authority to transfer said PUC No. 3572 to John W. DeNooy and Donald  
Rosendale, co-partners, Denver, Colorado.

Said application, pursuant to prior setting, after appro-  
priate notice to all parties in interest, was heard at the Hearing  
Room of the Commission, 330 State Office Building, Denver, Colorado,  
October 2, 1959, and at the conclusion of the evidence, the matter

was taken under advisement.

The transferor testified that he has been working for a packing house in conjunction with his hauling business; that he is not financially able to carry on the hauling business under his permit and has entered into an agreement for the sale of his truck and permit for \$600.00.

Mr. DeNooy, one of the transferees, testified that the transferees are purchasing the permit and truck for \$600.00; that he has net assets of approximately \$19,000, and that his partner is worth more than that; that he would like to get into the trash hauling business.

Both witnesses testified that the transferees are familiar with the permit and with the restriction in the permit that "said operation be limited to the use of one one-ton truck."

The operating experience and financial responsibility of transferees were established to the satisfaction of the Commission.

No one appeared in protest to the proposed transfer.

#### 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 Lawrence Swain, Denver, Colorado, should be, and he is hereby, authorized to transfer all his right, title and interest in and to PUC No. 3572 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to John W. DeNooy and Donald Rosendale, co-partners, Denver, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

The tariff of rates, rules, and regulations of transferor shall, upon proper adoption notice, 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 certificate up to the time of transfer of said certificate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Ralph C. Horton  
Alvin E. Paulings  
Commissioners.

mls

original

(Decision No. 53190)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GLADYS ELLIS, DOING BUSINESS AS )  
"DENVER NURSING HOME," 1401 )  
JOSEPHINE STREET, DENVER, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE AS )  
A PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION NO. 17390-PP

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October 8, 1959  
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Appearances: Malcolm D. Crawford, Esq.,  
Denver, Colorado, for  
Applicant.

S T A T E M E N T

By the Commission:

By application filed August 21, 1959, Gladys Ellis, doing business as "Denver Nursing Home," Denver, Colorado, seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of hospital patients, to and from all points within the City and County of Denver, Colorado, from and to Colorado General Hospital and Denver General Hospital, 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, October 2, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

The applicant testified that she has been operating a convalescent home for many, many years and that in the course of such operation she is requested many times to transport hospital patients; that she has been rendering this service without charge as she does not have an authority.

Malcolm Ellis, her son, and Attorney, testified that the applicant is not in a position to refuse requests for transportation of hospital patients to and from her convalescent home to and from Colorado General Hospital and Denver General Hospital and that under the circumstances it is difficult to obtain the proper attentive transportation service required under the circumstances.

There were no protests to the granting of the application.

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 Gladys Ellis, doing business as "Denver Nursing Home," Denver, Colorado, be, and she hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of hospital patients, to and from all points within the City and County of Denver, Colorado, from and to Colorado General Hospital and Denver General Hospital, 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 her customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

That the right of applicant to operate hereunder shall depend upon her 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

*Joseph F. Bigio*  
*Ralph C. Horton*  
*Alvin Spaulding*  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN CADY AND CHARLES R. ALCORN, CO- )  
PARTNERS, DOING BUSINESS AS "A & C )  
DELIVERY SERVICE," 510 DEL NORTE )  
STREET, DENVER, COLORADO, FOR AUTH- )  
ORITY TO TRANSFER PUC NO. 3389 TO )  
CHARLES R. ALCORN, DOING BUSINESS AS )  
"A & C DELIVERY SERVICE," 510 DEL )  
NORTE STREET, DENVER, COLORADO. )  
-----

APPLICATION NO. 17388-Transfer

IN THE MATTER OF THE APPLICATION OF )  
JOHN CADY AND CHARLES R. ALCORN, CO- )  
PARTNERS, DOING BUSINESS AS "A & C )  
DELIVERY SERVICE," 510 DEL NORTE )  
STREET, DENVER, COLORADO, FOR AUTH- )  
ORITY TO TRANSFER PERMIT NO. B-5825 )  
TO CHARLES R. ALCORN, DOING BUSINESS )  
AS "A & C DELIVERY SERVICE," 510 DEL )  
NORTE STREET, DENVER, COLORADO. )  
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APPLICATION NO. 17389-PP-Transfer

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October 8, 1959  
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Appearances: Charles R. Alcorn, Denver,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

John Cady and Charles R. Alcorn, co-partners, doing business  
as "A & C Delivery Service," Denver, Colorado, are the owners and oper-  
ators of PUC No. 3389 and Permit No. B-5825, with authority as follows:

PUC NO. 3389:

Transportation of printed and printing ma-  
terials, including envelopes, stationery,  
circulars, and trunks, luggage, baggage,  
filling station equipment (except large  
tanks), from point to point within the  
City and County of Denver, State of Colo-  
rado.

PERMIT NO. B-5825:

1. Insulation materials and building  
supplies within Denver and a 20-mile

radius of Denver, limited to the use of two vehicles not to exceed 3/4-ton pickups, and limited to two customers, only, viz., Commercial Products Company and A. H. Bennett Company.

2. Office furniture and supplies within Denver and a 5-mile radius of Denver, limited to the use of two vehicles not to exceed 3/4-ton pickups, and limited to one customer, only, viz., Wholesale Office Furniture and Supply Company.
3. Printing materials, including envelopes, stationery, and circulars, within Denver and a 5-mile radius of Denver, limited to the use of two vehicles not to exceed 3/4-ton pickups, and limited to one customer, only, viz., Lanning Brothers Printing Company.

By the instant applications, John Cady and Charles R. Alcorn, co-partners, doing business as "A & C Delivery Service," Denver, Colorado, seek authority to transfer said PUC No. 3389 and Permit No. B-5825 to Charles R. Alcorn, doing business as "A & C Delivery Service," Denver, Colorado.

Said applications, 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, October 2, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

Charles R. Alcorn, the transferee, testified in support of the applications, which were consolidated for hearing, in effect and as follows: that his partner in the operations under the certificate is desirous of going out of business and he is buying out said partner; that the transferors have no debts; that he is in a position to and will continue the operations, and if needed will add additional equipment.

There were no protests to the granting of the proposed transfers.

The operating experience and financial responsibility of transferee were established to the satisfaction of the Commission.

## F I N D I N G S

### THE COMMISSION FINDS:

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

## O R D E R

### THE COMMISSION ORDERS:

That John Cady and Charles R. Alcorn, co-partners, doing business as "A & C Delivery Service," Denver, Colorado, should be and hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 3389 and Permit No. B-5825 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Charles R. Alcorn, doing business as "A & C Delivery Service," Denver, Colorado, subject to payment of outstanding indebtedness against said operations, if any there be, whether secured or unsecured.

That said transfers shall become effective only if and when, but not before, said transferors and transferee, in writing, have advised the Commission that said certificate and said permit 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 transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

The tariff of rates, rules and regulations of transferors shall, upon proper adoption notice, 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 operations under said certificate up to the time of transfer of said certificate.

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.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Joseph F. Regio  
Joseph C. Holm  
Harry E. Paulsen  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

mls

original

(Decision No. 53192)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RUBEN GRAFF, DOING BUSINESS AS )  
"BROOMFIELD HEIGHTS WASTE DISPOSAL," )  
4220 PIERCE STREET, WHEATRIDGE, COLO- )  
RADO, FOR AUTHORITY TO TRANSFER PUC )  
NO. 3051 TO C. MYRON NIBLACK, DOING )  
BUSINESS AS "BROOMFIELD RUBBISH RE- )  
MOVAL," 224 MAIN STREET, BROOMFIELD )  
HEIGHTS, COLORADO. )  
-----

APPLICATION NO. 17386-Transfer

IN THE MATTER OF THE APPLICATION OF )  
RUBEN GRAFF, DOING BUSINESS AS )  
"BROOMFIELD HEIGHTS WASTE DISPOSAL," )  
4220 PIERCE STREET, WHEATRIDGE, COLO- )  
RADO, FOR AUTHORITY TO TRANSFER A )  
PORTION OF PUC NO. 3051 TO C. MYRON )  
NIBLACK, DOING BUSINESS AS "BROOM- )  
FIELD RUBBISH REMOVAL," 224 MAIN )  
STREET, BROOMFIELD HEIGHTS, COLORADO. )  
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APPLICATION NO. 17386-Transfer  
AMENDED

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October 8, 1959  
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Appearances: Robert E. McLean, Esq.,  
Denver, Colorado, for  
Broomfield Heights  
Waste Disposal and  
Broomfield Rubbish  
Removal.

S T A T E M E N T

By the Commission:

Ruben Graff, doing business as "Broomfield Heights Waste  
Disposal," Wheatridge, Colorado, is the owner and operator of PUC  
No. 3051, which authorizes:

transportation of ashes, trash, dirt, sod,  
fertilizer, garbage, rubbish, junk, coal  
(waste and rubbish, only), wood (waste and  
rubbish, only), top soil, cans, debris and  
other forms of waste, from point to point  
within the area described as: Beginning  
at the intersection of Base Line Road and  
Federal Boulevard; thence west 6 miles to  
a corner; thence south to the point of in-

tersection of a line extended west from the south City limits of Broomfield, being approximately five miles; thence east along the extension of the south City limits of Broomfield to Federal Boulevard; thence north to the point of beginning;

transportation of ashes, trash, and other refuse, between points in the City and County of Denver, and from points in the City and County of Denver, to regularly-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

By the instant application, said certificate-holder seeks authority to transfer PUC No. 3051 to C. Myron Niblack, doing business as "Broomfield Rubbish Removal," Broomfield Heights, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, October 2, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

The transferor testified that he has entered into an agreement with the transferee for transfer of a part of Certificate No. 3051; that he desires to apply himself exclusively to the operations under said certificate which will remain under his authority after the transfer. The agreement for transfer was submitted in evidence as an exhibit.

C. Myron Niblack, the transferee, testified that he has a net worth of approximately \$12,000 and has been in the trash hauling business for many, many years; that he and the transferor have been competing in the same area, which cannot support two operations, which has resulted in his purchasing the part of the authority herein sought to be transferred.

A motion was made by counsel for the parties that the application be amended to show that transfer is sought of PUC No. 3051, excluding that authority granted under Commission's Decision No. 45247,

dated January 25, 1956.

The operating experience and financial responsibility of the transferee were established to the satisfaction of the Commission.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the motion of the parties should be granted.

That the proposed transfer of a portion of PUC No. 3051 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 the motion of the parties for amendment be, and it hereby is, granted.

That Ruben Graff, doing business as "Broomfield Heights Waste Disposal," Wheatridge, Colorado, should be, and he hereby is, authorized to transfer a portion of PUC No. 3051, as follows:

transportation of ashes, trash, dirt, sod, fertilizer, garbage, rubbish, junk, coal (waste and rubbish, only), wood (waste and rubbish, only), top soil, cans, debris, and other forms of waste, from point to point within the area described as: Beginning at the intersection of Base Line Road and Federal Boulevard; thence west 6 miles to a corner; thence south to the point of intersection of a line extended west from the south City limits of Broomfield, being approximately five miles; thence east along the extension of the south City limits of Broomfield to Federal Boulevard; thence north to the point of beginning,

to C. Myron Niblack, doing business as "Broomfield Rubbish Removal," Broomfield Heights, 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 ad-



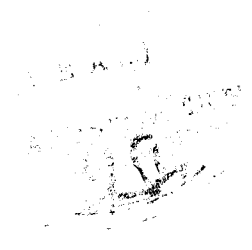
vised the Commission that said portion of said certificate has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of 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, unless such time shall be extended by the Commission, upon proper application.

The tariff of rates, rules, and regulations of transferor shall, upon proper adoption notice, 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 portion of said certificate.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Joseph F. Nigro  
Ralph C. Norton  
Henry E. Paulings  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

mls

original

(Decision No. 53193)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
PAUL W. MC CANN, 6550 NORTH FEDERAL, )  
DENVER, COLORADO, FOR AUTHORITY TO ) APPLICATION NO. 17399-PP-Extension  
EXTEND OPERATIONS UNDER PERMIT NO. )  
B-5854. )  
----- )

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October 8, 1959  
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Appearances: Paul W. McCann, Denver,  
Colorado, pro se;  
Leslie R. Kehl, Esq.,  
Denver, Colorado, for  
Denver-Chicago Trans-  
port Co. Inc.

S T A T E M E N T

By the Commission:

Paul W. McCann, the applicant herein, is the owner and operator of Permit No. B-5854, authorizing the transportation of sand, gravel and road-surfacing materials, within a radius of 50 miles of supply points, limited to the use of dump trucks, only.

By the instant application, said applicant seeks authority to extend his operations thereunder to include the right to transport sand, gravel and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 100 miles (rather than 50 miles, as presently authorized) of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of 100 miles (rather than 50 miles, as presently authorized) of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of 100 miles (rather than 50 miles, as presently authorized) of said jobs; insulrock, from pits and supply points in the State of Colorado,

to roofing jobs within a radius of 100 miles (rather than 50 miles, as presently authorized) of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at 330 State Office Building, Denver, Colorado, on October 8, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

Applicant appeared in support of his application, describing his operations under his private carrier permit. He now desires to operate within a radius of 100 miles of supply points instead of his 50-mile radius. He stated he would be willing to limit his operations in the transportation of road-surfacing materials to the use of dump trucks, only.

Counsel for protestant Denver-Chicago Transport Co. Inc., indicated that they would withdraw all protest to the application if the transportation of road-surfacing materials were limited to the use of dump trucks, only.

The operating experience and financial responsibility of the applicant were established to the satisfaction of the Commission and no reason appears why the scope of his territory should not be enlarged.

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

##### THE COMMISSION FINDS:

That the instant application for extension of territory should be granted as set forth in the following Order.

#### O R D E R

##### THE COMMISSION ORDERS:

That Paul W. McCann, 6550 North Federal, Denver, Colorado, be, and he hereby is, authorized to extend his operations under Permit No. B-5854, to include the right to transport sand, gravel and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 100 miles of said pits and supply points; sand and gravel, from pits and supply points in

the State of Colorado, to railroad loading points, and to homes and small construction jobs, within a radius of 100 miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of 100 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 100 miles of said pits and supply points; the transportation of road-surfacing materials being restricted to the use of dump trucks, only.

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

(F H A L)

Joseph T. Nigro  
Ralph C. Horton  
Commissioners.

COMMISSIONER HENRY E. ZARLENGO  
NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

ea

original

(Decision No. 53194)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
LOUIS O. QUINBY, 6220 EAST 65TH )	
AVENUE, DERBY, COLORADO, FOR AUTH- )	APPLICATION NO. 17400-PP-Extension
ORITY TO EXTEND OPERATIONS UNDER )	
PERMIT NO. B-5587. )	
----- )	

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October 8, 1959  
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Appearances: Leslie R. Kehl, Esq.,  
Denver, Colorado,  
for Denver-Chicago  
Transport Co. Inc.

S T A T E M E N T

By the Commission:

Louis O. Quinby, the applicant herein is the owner and operator of Permit No. B-5587, authorizing, generally, the transportation of sand, gravel and road-surfacing materials used in the construction of roads and highways, within a 50-mile radius of supply points.

By the instant application, said applicant seeks to extend his operations to authorize a 100-mile radius of supply points instead of a 50-mile radius; and for the transportation of coal from the northern Colorado coal fields to Denver and points within a 25-mile radius of Denver, Colorado.

Said application was regularly set for hearing at 330 State Office Building, Denver, Colorado, at 10:30 o'clock A. M., on October 8, 1959, with notice to all interested parties.

Notwithstanding said Notice of Hearing, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing.

The files were made a part of the record and the matter was taken under advisement.

Counsel for protestant stated that he would withdraw all protest to the application if applicant's operations were restricted to the use of dump trucks only in the transportation of road-surfacing materials.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the instant application should be granted, as restricted in the following Order.

### O R D E R

#### THE COMMISSION ORDERS:

That Louis O. Quinby, 6220 East 65th Avenue, Derby, Colorado, be, and he is hereby, authorized to extend operations under Permit No. B-5587, to include transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 100 miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of 100 miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of 100 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 100 miles of said pits and supply points; coal from northern Colorado coal fields to Denver and points within a 25-mile radius of Denver, Colorado, transportation of road-surfacing materials being hereby limited to the use of dump trucks, only.

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

*Joseph F. Nugent*  
*Ralph C. Hutton*  
Commissioners.

COMMISSIONER HENRY E. ZARLENGO  
NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 8th day of October, 1959. -2-

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
LESTER CORDELL, 2702 MEADE STREET, )	
DENVER, COLORADO, FOR AUTHORITY TO )	<u>APPLICATION NO. 17402-PP-Extension</u>
EXTEND OPERATIONS UNDER PERMIT NO. )	
B-5779. )	
----- )	

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October 8, 1959  
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Appearances: Lester Cordell, Denver,  
Colorado, pro se;  
Leslie R. Kehl, Esq.,  
Denver, Colorado, for  
Denver-Chicago Transport  
Co. Inc.

S T A T E M E N T

By the Commission:

The applicant herein is the owner and operator of Permit No. B-5779, authorizing, generally, the transportation of sand, gravel and road-surfacing materials from a 50-mile radius of pits and supply points.

By the instant application, said applicant seeks authority to extend operations to authorize a radius of 100 miles of pits and supply points.

Said application was regularly set for hearing, and heard, at 330 State Office Building, Denver, Colorado, on October 8, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant appeared in support of his application, testifying as to his trucking experience, equipment and his financial status. He stated he only wished to increase the radius to 100 miles of pits and supply points instead of 50 miles.

Counsel for protestant indicated that all protest to the application would be withdrawn if the authority was limited to the use of dump trucks only in the transportation of road-surfacing materials.

It does not appear that the extended service of applicant will impair the efficiency of any common carrier service operating in the territory.

The operating experience and financial responsibility of the applicant were established to the satisfaction of the Commission.

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

##### THE COMMISSION FINDS:

That the authority sought herein should be granted, as restricted in the following Order.

#### O R D E R

##### THE COMMISSION ORDERS:

That Lester Cordell, 2702 Meade Street, Denver, Colorado, be, and he hereby is, authorized to extend his operations under Permit No. B-5779, to include the right to transport sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 100 miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of 100 miles of said pits and supply points; sand, gravel, dirt, stone and refuse, from and to building construction jobs, to and from points within a radius of 100 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 100 miles of said pits and supply points, the transportation of road-surfacing materials being limited to the use of dump trucks, only.

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

*Joseph F. Nigro*  
*Ralph C. Holman*  
Commissioners.

COMMISSIONER HENRY E. ZARLENGO  
NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 8th day of October, 1959.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

R.A. MILLER, DOING BUSINESS AS, "BAR  
AND RESTAURANT SUPPLIES", 3106  
UMATILLA STREET, DENVER 11, COLO-  
RADO.  
-----)

PERMIT NO. M-12973

-----  
October 21, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from R. A. Miller, doing  
business as, "Bar and Restaurant Supplies", Denver 11, Colorado

requesting that Permit No. M-12973 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12973, heretofore issued to R. A. Miller, doing  
business as, "Bar and Restaurant Supplies", Denver 11, Colorado be,  
and the same is hereby, declared cancelled effective September 29, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Sam C. Horton  
Wm E. Zurlings  
Commissioners

Dated at Denver, Colorado,

this 21st day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
FRED BOWLES, LYONS, COLORADO. )  
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----- )

PERMIT NO. M-5250

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October 21, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Fred Bowles,  
Lyons, Colorado  
requesting that Permit No. M-5250 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5250, heretofore issued to Fred Bowles,  
Lyons, Colorado be,  
and the same is hereby, declared cancelled effective July 31, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Henry E. Zuckerman  
Commissioners

Dated at Denver, Colorado,

this 21st day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

HENRY A. HOWTON AND DONNIE LEE )  
HOWTON, DOING BUSINESS AS, "HOWTON )  
AND SON", 3958 FOX STREET, DENVER 16, )  
COLORADO. )  
-----)

PERMIT NO. M-12337

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October 21, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Henry A. Howton and  
Donnie Lee Howton, dba "Howton and Son", Denver 16, Colorado  
requesting that Permit No. M-12337 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12337, heretofore issued to Henry A. Howton and  
Donnie Lee Howton, dba "Howton and Son", Denver 16, Colorado be,  
and the same is hereby, declared cancelled effective July 1, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Samuel C. Howton  
Henry E. Zuckerman  
Commissioners

Dated at Denver, Colorado,

this 21st day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

RAMON H. MEANS, P. O. BOX 252,  
ARDMORE, OKLAHOMA.

PERMIT NO. M-654

October 21, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ramon H. Means,  
Ardmore, Oklahoma

requesting that Permit No. M-654 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-654, heretofore issued to Ramon H. Means,  
Ardmore, Oklahoma be,  
and the same is hereby, declared cancelled effective August 28, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Joseph C. Horton  
Henry E. Zank  
Commissioners

Dated at Denver, Colorado,

this 21st day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

J. H. FIMPLE AND J. C. FINPLE, DOING )  
BUSINESS AS, "FIMPLE BROTHERS )  
MARKET", 723 WEST 24TH STREET, )  
CHEYENNE, WYOMING. )  
-----)

PERMIT NO. M-3385

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October 21, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from J. H. Fimple and J.  
C. Fimple, dba "Fimple Brothers Market", Cheyenne, Wyoming  
requesting that Permit No. M-3385 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3385, heretofore issued to J. H. Fimple and  
J. C. Fimple, dba "Fimple Brothers Market", Cheyenne, Wyoming be,  
and the same is hereby, declared cancelled effective October 7, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Ralph C. Horton  
Henry E. Zurlings  
Commissioners

Dated at Denver, Colorado,

this 21st day of October, 195 9.

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

FRED GRABLE, 945 EAST 3RD STREET,  
LOVELAND, COLORADO.

PERMIT NO. M-7585

October 21, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Fred Grable,  
Loveland, Colorado  
requesting that Permit No. M-7585 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7585, heretofore issued to Fred Grable,  
Loveland, Colorado be,  
and the same is hereby, declared cancelled effective October 8, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Joseph C. Horton  
Henry E. Zaitsev  
Commissioners

Dated at Denver, Colorado,

this 21st day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

DON V. AND JAMES E. RIEDELL, DOING )  
BUSINESS AS, "BINDER WHOLESALE OF )  
COLORADO", 2760 WEST IRVINGTON PLACE )  
DENVER 19, COLORADO . )  
-----)

PERMIT NO. M-2046

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October 21, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Don V. and James  
E. Riedell, dba "Binder Wholesale of Colorado", Denver 19, Colorado  
requesting that Permit No. M-2046 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2046, heretofore issued to Don V. and James E.  
Riedell, dba "Binder Wholesale of Colorado", Denver 19, Colorado be,  
and the same is hereby, declared cancelled effective September 24, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
James C. Norton  
Henry E. Zerkow  
Commissioners

Dated at Denver, Colorado,

this 21st day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
JERRY MC KNIGHT, DOING BUSINESS AS )  
"C AND W MASONRY SUPPLY COMPANY", )  
1315 NORTH MAIN, LONGMONT, COLORADO. )  
----- )

PERMIT NO. M-13709

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October 21, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Jerry McKnight,  
doing business as, "C and W Masonry Supply Company", Longmont, Colorado  
requesting that Permit No. M-13709 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13709, heretofore issued to Jerry McKnight, doing  
business as, "C and W Masonry Supply Company, Longmont, Colorado" be,  
and the same is hereby, declared cancelled effective July 1, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Ralph C. Horton  
Wm. E. Zwick  
Commissioners

Dated at Denver, Colorado,

this 21st day of October, 195 9.



original

(Decision No. 53204)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
T. C. STEEN, 2072 EMPORIA STREET, )  
AURORA, COLORADO, FOR AUTHORITY TO ) APPLICATION NO. 17403-PP-Extension  
EXTEND OPERATIONS UNDER PERMIT NO. )  
B-5802. )  
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October 8, 1959  
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Appearances: Mrs. T. C. Steen, Aurora,  
Colorado, for Applicant;  
Leslie R. Kehl, Esq., Den-  
ver, Colorado, for Den-  
ver Chicago Transport  
Co., Inc.

S T A T E M E N T

By the Commission:

T. C. Steen, the applicant herein, is the owner and operator  
of Permit No. B-5802, authorizing:

transportation of sand, gravel and road-  
surfacing materials used in the construc-  
tion of roads and highways, from pits and  
supply points in the State of Colorado,  
to road jobs, mixer and processing plants  
within a radius of fifty miles of said  
pits and supply points, restricted to the  
use of dump trucks only in the transporta-  
tion of road-surfacing materials.

By the instant application, applicant seeks authority to ex-  
tend his operations by enlarging the radius of pits and supply points  
to 100 miles instead of 50 miles.

Said application, pursuant to prior setting, after appro-  
priate notice to all interested parties, was heard at 330 State Office  
Building, Denver, Colorado, on October 8, 1959, and at the conclusion  
of the evidence, the matter was taken under advisement.

Mrs. T. C. Steen, wife of applicant, appeared at the hearing  
and testified as to applicant's equipment, experience and financial

status. She stated that applicant merely wished to extend his territory to a 100 mile radius of pits and supply points instead of a 50 mile radius, and that he would not object to being limited to the use of dump trucks only in the transportation of road-surfacing materials.

Counsel for protestant indicated that all protests would be withdrawn if applicant were restricted to the use of dump trucks, only, in the transportation of road-surfacing materials.

It does not appear that the proposed extended service of applicant would impair the efficiency of any common carrier service operating in the territory.

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 sought herein should be granted, as restricted in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That T. C. Steen, 2072 Emporia Street, Aurora, Colorado, be, and he hereby is, authorized to extend his operations under Permit No. B-5802, to include the right to transport sand, gravel and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 100 miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of 100 miles of said pits and supply points; sand, gravel, dirt, stone and refuse, from and to building construction jobs; to and from points within a radius of 100 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 100 miles of said pits and supply

points, the transportation of road-surfacing materials being limited to the use of dump trucks, only.

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

*Joseph F. Nigro*  
*Ralph C. Holton*  
Commissioners.

COMMISSIONER HENRY E. ZARLENGO  
NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

mls

original

(Decision No. 53205)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FINKBEINER BROS. TRUCKING CO., INC., )  
3667 BLAKE STREET, DENVER, COLORADO, ) APPLICATION NO. 17401-PP-Extension  
FOR AUTHORITY TO EXTEND OPERATIONS )  
UNDER PERMIT NO. B-2054. )  
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October 8, 1959  
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Appearances: Fred Finkbeiner, Denver,  
Colorado, for Applicant;  
Leslie R. Kehl, Esq., Den-  
ver, Colorado, for Denver-  
Chicago Transport Co., Inc.

S T A T E M E N T

By the Commission:

Applicant herein is the owner and operator of Permit No.

B-2054, authorizing:

transportation of coal from the northern Colo-  
rado coal fields to Denver;

transportation of sand, gravel, and other road-  
surfacing materials from pits and supply points  
in the State of Colorado, to points within a ra-  
dius of 50 miles of said pits and supply points,  
excluding service in Boulder, Clear Creek and  
Gilpin Counties;

transportation of sand, gravel and other road-  
surfacing materials, and coal, from point to  
point within the City and County of Denver, Colo-  
rado;

transportation of sand, gravel, and other road-  
surfacing materials used in the construction of  
roads and highways, from pits and supply points  
in the State of Colorado, to road jobs, mixer  
and processing plants within a radius of fifty  
miles of said pits and supply points; sand and  
gravel, from pits and supply points in the State  
of Colorado, to railroad loading points, and to  
homes and small construction jobs within a ra-  
dius of fifty miles of said pits and supply  
points; sand, gravel, dirt, stone, and refuse,  
from and to building construction jobs, to and  
from points within a radius of fifty miles of

said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points; coal, from mines in Fremont, Huerfano and Las Animas Counties, to Denver, Colorado; coal, from mines in Axel Basin, to railroad loading points at Craig, Colorado, and to coal dealers and suppliers in Grand Junction, Colorado, and all intermediate points, limited to the use of dump trucks, only;

transportation of coal, only, from the northern Colorado coal fields, to that part of the State of Colorado lying north of a line drawn east and west parallel to U. S. Highway No. 40, at Denver, Colorado, and east of a line drawn north and south parallel to the Continental Divide, at Leadville, Colorado.

By the instant application, said applicant seeks authority to extend operations under Permit No. B-2054 by extending the sand, gravel and road-surfacing materials transportation so as to authorize a 100-mile radius of pits and supply points instead of a 50-mile radius thereof.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at 330 State Office Building, Denver, Colorado, on October 8, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Fred Finkbeiner, the President of Finkbeiner Bros. Trucking Co., Inc., a corporation, appeared and testified as to the operations of said company. He testified as to equipment, trucking experience and financial status of the company.

Counsel for protestant indicated that all protest would be withdrawn if the authority were limited to the use of dump trucks, only, in the transportation of road-surfacing materials.

It did not appear that the extended service of applicant would impair the efficiency of any common carrier service operating in the territory.

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 sought herein should be granted, as restricted in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Finkbeiner Bros. Trucking Co., Inc., a corporation, Denver, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-2054, to include the right to transport sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 100 miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of 100 miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of 100 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 100 miles of said pits and supply points, the transportation of road-surfacing materials being limited to the use of dump trucks, only.

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

*Ralph C. Horton*  
*Joseph F. Negro*  
Commissioners.

COMMISSIONER HENRY E. ZARLENGO  
NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

mls

original

(Decision No. 53206)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
M. F. KISH, 8020 KING STREET, WEST- )  
MINSTER, COLORADO, FOR A CLASS "B" ) APPLICATION NO. 17395-PP  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )  
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October 8, 1959  
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Appearances: Mrs. M. F. Kish, West-  
minster, Colorado,  
for Applicant;  
Leslie R. Kehl, Esq.,  
Denver, Colorado, for  
Denver-Chicago Trans-  
port Co., Inc.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at 330 State Office

Building, Denver, Colorado, on October 8, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

Mrs. M. F. Kish, Westminster, Colorado, wife of the applicant, appeared in support of the application and testified that applicant is an experienced truck operator and that he has ample equipment with which to carry on his proposed operations. She stated that he would not object to being restricted to the use of dump trucks only.

Counsel for protestant indicated that he would withdraw all protest to the application if applicant were restricted to the use of dump trucks only in the transportation of road-surfacing materials.

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:

The above and foregoing Statement is hereby made a part of these Findings by reference.

That authority sought should be granted, as restricted in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That M. F. Kish, 8020 King Street, Westminster, Colorado, should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within



a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points; the transportation of road-surfacing materials being restricted to the use of dump trucks, 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 authority sheets.

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.

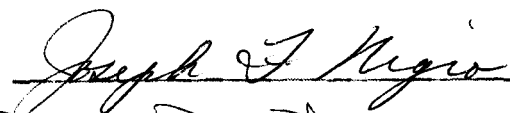
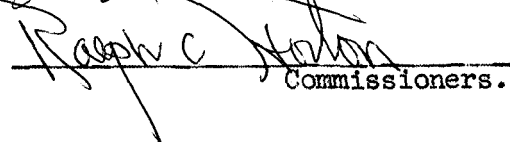
That this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

COMMISSIONER HENRY E. ZARLENGO  
NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

mls

  
  
Commissioners.

original

(Decision No. 53207)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
SAM DEINES, 4840 HARLAN STREET, DEN- )  
VER, COLORADO, FOR A CLASS "B" PER- )  
MIT TO OPERATE AS A PRIVATE CARRIER )  
BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 17396-PP

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October 8, 1959  
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Appearances: Mrs. Sam Deines, Denver,  
Colorado, for Applicant;  
Leslie R. Kehl, Esq., Den-  
ver, Colorado, for Den-  
ver-Chicago Transport  
Co., Inc.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at 330 State Office Building, Denver, Colorado, on October 8, 1959, and at the conclusion

of the evidence, the matter was taken under advisement.

Mrs. Sam Deines, wife of the applicant, appeared in support of the application, testifying as to applicant's equipment, experience and financial responsibility. She stated that he would not object to being restricted to the use of dump trucks only in the transportation of road-surfacing materials.

Counsel for protestant indicated that he would withdraw all protest to the application if applicant were restricted to the use of dump trucks, only.

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:

The above and foregoing Statement is hereby made a part of these Findings by reference.

That authority sought should be granted, as restricted in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That Sam Deines, 4840 Harlan Street, Denver, Colorado, should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs

within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points; the transportation of road-surfacing materials being restricted to the use of dump trucks, 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 authority sheets.

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

COMMISSIONER HENRY E. ZARLENGO  
NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

mls

*Joseph F. Nigro*  
*Ralph C. Hutton*  
Commissioners.

original

(Decision No. 53208)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ROBERT MC VAY, 3462 SOUTH GRANT )  
STREET, ENGLEWOOD, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----

APPLICATION NO. 17397-PP

-----  
October 8, 1959  
-----

Appearances: Robert McVay, Englewood,  
Colorado, pro se;  
Leslie R. Kehl, Esq., Den-  
ver, Colorado, for Den-  
ver-Chicago Transport  
Co., Inc.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 150 miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of 150 miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of 150 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 150 miles of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at 330 State Office

Building, Denver, Colorado, on October 8, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

Applicant appeared in support of his application, testifying as to his equipment, experience and financial status. He stated he would not object to being limited to the use of dump trucks in the transportation of road-surfacing materials.

Counsel for protestant indicated that he would withdraw all protest to the application if the applicant were restricted to the use of dump trucks, only.

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:

The above and foregoing Statement is hereby made a part of these Findings by reference.

That authority sought should be granted, as restricted in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That Robert McVay, 3462 South Grant Street, Englewood, Colorado, should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 150 miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construc-

tion jobs within a radius of 150 miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of 150 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 150 miles of said pits and supply points; the transportation of road-surfacing materials being restricted to the use of dump trucks, only.


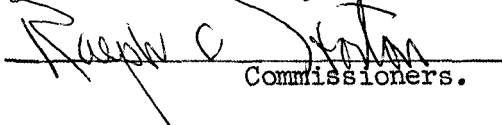
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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.

COMMISSIONER HENRY E. ZARLENGO  
NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

mls

original

(Decision No. 53209)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LA VERNE M. WAMBOLT, 150 GARFIELD )  
STREET, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----

APPLICATION NO. 17398-PP

-----  
October 8, 1959  
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Appearances: LaVerne M. Wambolt, Den-  
ver, Colorado, pro se;  
Leslie R. Kehl, Esq.,  
Denver, Colorado, for  
Denver-Chicago Trans-  
port Co., Inc.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 100 miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of 100 miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of 100 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 100 miles of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at 330 State Office Building, Denver, Colorado, on October 8, 1959, and at the con-



clusion of the evidence, the matter was taken under advisement.

The applicant appeared in support of his application, testifying as to his equipment, experience and financial status, and stated that he would not object to being restricted to the use of dump trucks only in the transportation of road-surfacing materials.

Counsel for protestant then stated he would withdraw all protest to the application if the applicant were restricted to the use of dump trucks, only.

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:

The above and foregoing Statement is hereby made a part of these Findings by reference.

That authority sought should be granted, as restricted in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That LaVerne M. Wambolt, 150 Garfield Street, Denver, Colorado, should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 100 miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of

100 miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of 100 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 100 miles of said pits and supply points; the transportation of road-surfacing materials being restricted to the use of dump trucks, 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 authority sheets.

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

COMMISSIONER HENRY E. ZARLENGO  
NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

mls

Joseph F. Nigro  
Ralph C. Norton  
Commissioners.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE PROPOSED INCREASE IN THE MINIMUM )  
CHARGE FOR LESS THAN FIVE (5) SHIPMENTS )  
TENDERED TO THE CARRIER AT ONE TIME IN )  
DENVER, COLORADO, AND POINTS WITHIN )  
FIVE (5) MILES OF THE DENVER CITY LIMITS, )  
COLORADO SPRINGS, COLORADO, OR PUEBLO, )  
COLORADO IN CONNECTION WITH THE OPERATION )  
OF CENTENNIAL TRUCK LINES, INC. )  
-----

INVESTIGATION  
AND  
SUSPENSION  
DOCKET NO. 427

-----  
October 8, 1959  
-----

S T A T E M E N T

By the Commission:

On August 27, 1959, Decision No. 52972, the Commission sus-  
pended a schedule wherein the carriers named in said decision proposed  
certain increases in connection with minimum charge shipment. The  
suspended matter is fully set forth in said Decision No. 52972.

The Commission is now in receipt of the following letter  
from Centennial Truck Lines, Inc.:

"By this letter, Centennial Truck Lines, Inc.  
respectfully requests that the suspension order  
by the Commission in Investigation and Suspension  
Docket No. 427, Decision No. 52972 dated August 27,  
1959, be lifted with regard to those provisions  
suspended relating to Paragraph (R), Item No. 930  
of P.U.C. No. 11 published by The Colorado Motor  
Carriers' Association, Agent, to have become effec-  
tive August 28, 1959. The provisions referred to  
are concerned with the increase in the minimum  
charge to \$2.75 per shipment.

"Centennial asks that this suspension be lifted  
only as it effects local and joint traffic in  
intrastate commerce moving via or in conjunction  
with Centennial Truck Lines, Inc. or via Private  
Carriers who are in competition with Centennial.

"Centennial makes this request with the understand-  
ing that if this Honorable Commission lifts the  
suspension as suggested that Centennial Truck Lines,  
Inc. will put this money in escrow in the Denver  
U. S. National Bank to guarantee reparations pay-  
ments to shippers or consignees if after investiga-  
tion and hearing in I & S Docket No. 427 has been  
completed it is found by the Commission that the  
\$2.75 minimum as presently filed and under investi-  
gation is not found justified.

"We make this request for the reason that it is imperative that increased revenues be obtained at once by our company if we are to remain solvent. It is estimated that the minimum charge rule under suspension in I & S Docket No. 427 would bring in additional revenue to our company of approximately \$6,500.00 per month depending on the volume of traffic.

"Centennial respectfully asks that this Honorable Commission give speedy and serious consideration to this request and advise us as soon as possible their decision."

The Commission is of the opinion that it should not dispose of this request without a public hearing, but that said hearing should be restricted to the request for lifting of the suspension.

Centennial has expressed a willingness to such a hearing to be set for an early date.

At this hearing the Commission will expect Centennial Truck Lines to produce good and substantial evidence showing its financial condition as of the latest available statistics, also supporting reasons why the Commission should take separate and independent action for account of Centennial only in this matter.

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

THE COMMISSION FINDS, That:

1. Its Statement should be made a part of these Findings.
2. On the basis of the letter of request, of the Centennial Truck Lines, Inc., it should have a public hearing on its request.
3. The matter should be set for a public hearing at an early date, in order to dispose of the issues which have been informally presented to the Commission.

#### O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings contained herein be, and they are hereby, made a part hereof.

2. This matter be, and the same is hereby, assigned for a public hearing on October 20, 1959, at 10:00 A.M. in the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, for the taking of evidence and testimony of all interested parties on the request of Centennial for lifting the suspension.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph T. Negro  
Robert C. Norton  
Henry E. Zarlengo  
Commissioners

Dated at Denver, Colorado,  
this 8th day of October, 1959.

mem

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE INCREASES IN CLASS RATES VIA MC KIE )  
TRANSFER COMPANY, NORTH EASTERN MOTOR )  
FREIGHT, INC., AND ITS JOINT OPERATIONS )  
WITH BROOKS TRANSPORTATION COMPANY; )  
CHANGE TO ITEM NO. 535; AND ELIMINATION )  
OF RATES IN ITEM NO. 1980; AS PUBLISHED )  
IN COLORADO MOTOR CARRIERS' ASSOCIATION, )  
AGENT, LOCAL AND JOINT FREIGHT TARIFF )  
NO. 12-A, COLORADO P.U.C. NO. 11, ISSUED )  
BY J. R. SMITH, CHIEF OF TARIFF BUREAU, )  
4060 ELATI ST., DENVER 16, COLORADO. )  
-----

INVESTIGATION  
AND  
SUSPENSION  
DOCKET NO. 429

-----  
October 8, 1959  
-----

Appearances: Dewey W. Beach for North Eastern Motor  
Freight, Inc.;  
George Garrett for McKie Transfer Company;  
J. R. Smith for Colorado Motor Carriers'  
Association;  
T. S. Wood and Harry Eastlund for Staff of  
the Commission.

S T A T E M E N T

By the Commission:

On August 11, 1959, Colorado Motor Carriers' Association,  
Agent, by J. R. Smith, Chief of Tariff Bureau, Denver, Colorado, filed  
with the Commission various revised pages to its Local and Joint Freight  
Tariff No. 12-A, Colorado P.U.C. No. 11, designated as follows:

5th Revised Page No. 74 - Item No. 535  
3rd Revised Page No. 128  
7th Revised Page No. 141  
10th Revised Page No. 142  
9th Revised Page No. 144  
8th Revised Page No. 145  
8th Revised Page No. 146  
10th Revised Page No. 147  
7th Revised Page No. 148  
8th Revised Page No. 149  
8th Revised Page No. 150  
7th Revised Page No. 152  
10th Revised Page No. 153  
8th Revised Page No. 154  
3rd Revised Page No. 157  
3rd Revised Page No. 164  
3rd Revised Page No. 165  
3rd Revised Page No. 167  
3rd Revised Page No. 179  
1st Revised Page No. 214 - Item No. 1980

To become effective September 16, 1959.

Item No. 535, 5th Revised Page 74, provides a Class 200 rating on iron or steel animal watering tanks, plate or sheet, S.U., nested or not nested, exceeding  $6\frac{1}{2}$  feet in diameter; also, iron or steel tanks, N.O.I., having a liquid capacity exceeding 500 gallons. The iron or steel tanks, N.O.I. is the only part of this item involved in this proceeding.

3rd Revised Page No. 128 through 3rd Revised Page No. 179, provide class rate bases on less-than-truckload and minimum weights of 5,000 and 10,000 pounds between Brush, Ft. Morgan, Denver, Greeley, Julesburg and Sterling, on the one hand, and local points on the line of the North Eastern Motor Freight, Inc., and joint points on the line of the Brooks Transportation Company, on the other hand, also between Denver and local points on the line of McKie Transfer Company.

In Item No. 1980, 1st Revised Page No. 214, it is proposed to cancel a rate of 28 cents per 100 pounds from Glenwood Springs to Carbondale, and 38 cents to Emma, Basalt, Snowmass, Woody Creek and Aspen on groceries, as described in Item No. 380, via Aspen Truck Line. The adjustment in the class rates represents an increase of five per cent for account of the North Eastern on less-truckload and minimum weights of 5,000 and 10,000 pounds and 15 per cent for account of McKie Transfer Co. on less-truckload.

On September 8, 1959, the Commission, on its own motion (Decision No. 53013), suspended the said schedules for a period of 120 days or until the 14th day of January, 1960, unless otherwise ordered, and assigned the matter for hearing on September 30, 1959, at 10:00 A.M., in the hearing room of the Commission, Room 330, State Office Building, Denver, Colorado.

The hearing was held as assigned and at its conclusion the matter was taken under advisement.

At the hearing Witness J. R. Arnold, General Manager, North Eastern Motor Freight, Inc., introduced in evidence two exhibits identified as Nos. 1 and 2.

Exhibit No. 1 is a balance sheet and income statement of the North Eastern Motor Freight for the year ending December 31, 1958, and Exhibit No. 2 is an income statement for the first five months of 1959.

Exhibit No. 1 shows an operating profit for the year 1958 of \$4,090.43, with a total assets of \$152,800.71, or approximately 2.61% of the total assets. The income statement shows a total income of \$354,108.50 and total operating expenses of \$344,116.74, which produces an operating ratio of 97.2 per cent.

Exhibit No. 2 shows a total income of \$140,270.90, total operating expenses of \$147,215.29, net loss, \$8,455.39. This produces an operating ratio of 104.95 per cent.

Witness Arnold testified that under his labor contracts and the increased labor costs resulting from said contracts, his organization has paid in the past and those it is faced with in the future make it imperative for it to make a move to supplement its revenue if it is to continue its operation and attempt to furnish any semblance of a satisfactory service to the shipping public. The witness further stated that in order to maintain a necessary working cash balance he was forced to borrow \$5,000.00 this month.

Witness Arnold also testified in support of the proposed Class 200 rating on iron or steel tanks, N.O.I., having a liquid capacity exceeding 500 gallons. The record shows that these tanks require a great amount of space in a trailer, considering their relatively small weight. Due to their bulkiness the carrier cannot load more than four or five such tanks in a trailer.

Witness George G. Garrett, Manager, The McKie Transfer Company, Longmont, Colorado, testified in support of the proposed 15 per cent increase in the less-truckload class rates between Denver, and Berthoud, Longmont and Mead, Colorado.

Witness Garrett testified that for the first five months of 1959 his operating revenue was \$34,807.96, and his operating expenses were \$38,540.83, resulting in an operating ratio of 110.7 per cent; that for the years 1956, 1957 and 1958, his operating ratios were



108.5, 107 and 107, respectively; that he had been operating this truck line since 1924 and that he had never been in as a precarious position financially over all these years as he is in today. As the witness put it, either he must secure some increased revenue or else he will be forced to discontinue his operation as a scheduled line haul carrier.

No one appeared in support of the proposed cancellation of the grocery item from Glenwood Springs to points on the line of the Aspen Truck Line.

The cancellation of the said item would make the Classification the media of determining the rating on the commodities named in Item No. 380. The Classification ratings range from Class 50 to 150, with the majority being rated 60 and 65. Under these circumstances there is only one conclusion to be reached, viz.: the proposal has not been justified.

In assigning this matter for public hearing the Commission mailed copies of its I & S Order to some 20 or 25 parties whom it felt would be interested in this proceeding. At the hearing no one appeared in opposition to the proposed increases.

The Commission is cognizant of the fact that an increase in rates does not necessarily mean an increase in revenue. It is also aware of the further fact that if the line haul scheduled carriers are to survive they must have sufficient revenue to cover their costs of operation and provide a margin of profit, taking into consideration every facet that lends itself toward an efficient and economical operation and just, reasonable and sufficient rates. No carrier can expect, nor should he expect, the shipper to pay and continue to pay increased rates in order to compensate the carrier for an inefficient and unprofitable operation. If a carrier has made every effort to effect all potential economies in its operation and is still faced with a lack of revenue its only recourse is to attempt to increase its income, and its potential avenue for such relief is to increase its rates and hope it may continue to hold its volume of traffic.

## F I N D I N G S

THE COMMISSION FINDS, That:

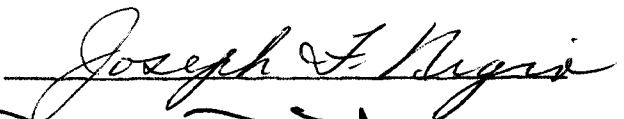
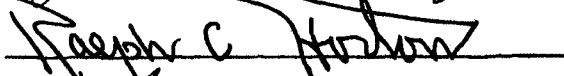

1. The proposed increase in the class rates and the proposed increase rating on the tanks have been justified.
2. The proposed cancellation of the rates in Item No. 1980 (Groceries) has not been justified and should be ordered cancelled.
3. Except as provided in Paragraph (2) an Order should be entered vacating its Order of suspension and discontinuing the proceeding.

## O R D E R

THE COMMISSION ORDERS, That:

1. This Order shall become effective forthwith.
2. The Statement and Findings be, and they are hereby made a part hereof.
3. The Colorado Motor Carriers' Association, Agent, be, and it is hereby, notified and required to cancel Item No. 1980, 1st Revised Page No. 214, of its Local and Joint Freight Tariff No. 12-A, Colorado P.U.C. No. 11, on or before October 26, 1959, upon notice to this Commission and to the general public by not less than one day's filing and posting in the manner prescribed by law and the rules and regulations of the Commission.
4. Except as provided in Paragraph 3 of this Order, the Order heretofore entered in this proceeding suspending the operation of said schedules be and it is hereby vacated and set aside as of October 26, 1959, and that this proceeding be discontinued.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 8th day of October, 1959.

mem

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ELIZABETH REISH, DOING BUSINESS AS, )  
"PEOPLES FLOWER SHOP", 105 WEST )  
OLIVE STREET, LAMAR, COLORADO. )  
----- )

PERMIT NO. M-13557

-----  
October 21, 1959  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Elizabeth Reish,  
doing business as, "Peoples Flower Shop", Lamar, Colorado  
requesting that Permit No. M-13557 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13557, heretofore issued to Elizabeth Reish, doing  
business as, "Peoples Flower Shop", Lamar, Colorado be,  
and the same is hereby, declared cancelled effective April 1, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Norton  
Wm. E. Zurling  
Commissioners

Dated at Denver, Colorado,

this 21st day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

JOSEPH W. WALSH, 4925 MONTVIEW  
BOULEVARD, DENVER 7, COLORADO.

PERMIT NO. M-10487

-----  
October 21, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Joseph W. Walsh,

Denver 7, Colorado

requesting that Permit No. M-10487 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10487, heretofore issued to Joseph W. Walsh,

Denver 7, Colorado be,

and the same is hereby, declared cancelled effective September 19, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Henry E. Zurling  
Commissioners

Dated at Denver, Colorado,

this 21st day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

FARMINGTON MERCANTILE COMPANY, A )  
CORPORATION, P. O. BOX 518, FARM- )  
INGTON, NEW MEXICO. )  
----- )

PERMIT NO. M-14280

-----  
October 21, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Farmington Mercantile Company, A Corporation, Farmington, New Mexico  
requesting that Permit No. M-14280 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14280, heretofore issued to Farmington Mercantile Company, A Corporation, Farmington, New Mexico be,  
and the same is hereby, declared cancelled effective October 1, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Garth C. Norton  
Henry E. Zerkow  
Commissioners

Dated at Denver, Colorado,

this 21st day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
DOYLE H. TURPIN, 5004 LINCOLN STREET, )  
DENVER 16, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. M-15699

-----  
October 22, 1959  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Doyle H. Turpin,  
Denver 16, Colorado  
requesting that Permit No. M-15699 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15699, heretofore issued to Doyle H. Turpin,  
Denver 16, Colorado be,  
and the same is hereby, declared cancelled effective September 24, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Henry E. Zuckerman  
Commissioners

Dated at Denver, Colorado,

this 22nd day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
PAUL E. TAYLOR, 345-9TH STREET, )  
BRIGHTON, COLORADO. )  
 )  
 )  
 )  
 )  
----- )

PERMIT NO. M-1834

-----  
October 22, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Paul E. Taylor,  
Brighton, Colorado  
requesting that Permit No. M-1834 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1834, heretofore issued to Paul E. Taylor,  
Brighton, Colorado be,  
and the same is hereby, declared cancelled effective October 11, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Henry E. Ziegler  
Commissioners

Dated at Denver, Colorado,  
this 22nd day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
W. A. FUHLHAGE, P. O. BOX K, LYONS, )  
COLORADO. )

PERMIT NO. M-3497

October 22, 1959

## STATEMENT

**By the Commission:**

The Commission is in receipt of a communication from W. A. Fuhlhage,  
Lyons, Colorado  
requesting that Permit No. M-3497 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. M-3497, heretofore issued to W. A. Fuhlhage,  
Lyons, Colorado be,  
and the same is hereby, declared cancelled effective October 7, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Francis C. Woodard  
Kurt E. Zurlings  
Commissioners

Dated at Denver, Colorado,

this 22nd day of October, 1959.



original

(Decision No. 53218)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GLEN M. PARKS, SOUTH FORK, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE AS )  
A PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION NO. 16923-PP

-----  
October 8, 1959  
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Appearances: Richard E. Conour, Esq.,  
Del Norte, Colorado, for  
Applicant.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, from point to point within a radius of fifty miles of Durango, Colorado, and from point to point within a radius of fifty miles of South Fork, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Del Norte, Colorado, September 9, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 4, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant herein appeared in support of his application, stating he is

presently operating under Temporary Authority issued by this Commission; that he has sufficient equipment with which to conduct his proposed operations; that he has received numerous requests for his proposed service.

No one appeared in opposition to the granting of authority herein sought.

The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

It does not appear that applicant's proposed operations will impair the efficiency of any common carrier operating in the territory sought to be served by applicant, as limited by the Order following.

Report of the Examiner recommends that permit issue to applicant herein, as set forth in the Order following.

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

##### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That permit should issue to applicant herein, as set forth in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above Findings be, and the same hereby is, approved.

That Glen M. Parks, South Fork, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs and rough lumber, from point to point within a radius of fifty miles of Durango, Colorado, and from point to point within a radius of fifty miles of South Fork, Colorado.

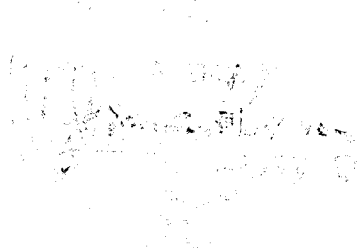
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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

  
Joseph L. Kujala  
Joseph C. Norton  
Harry E. Zallugo  
Commissioners

Dated at Denver, Colorado,  
this 8th day of October, 1959.

mls

original

(Decision No. 53219)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DAVE MARQUEZ, STAR ROUTE, DEL NORTE, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 17331-PP

-----  
October 8, 1959  
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Appearances: Richard E. Conour, Esq.,  
Del Norte, Colorado,  
for Applicant.

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 point to point within a radius of fifty miles of Del Norte, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Del Norte, Colorado, September 9, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 4, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that Applicant was unable to be present at the time and place designated for hearing; that Attorney

for Applicant moved to make the files and records a part of the record, in order that said matter could be heard; that thereupon, the files and records were made a part of the proceeding, and the matter was heard and taken under advisement; that the files disclose applicant is qualified, financially and by experience, to conduct his proposed operations; that he is presently operating under Temporary Authority issued by the Commission; that he has filed the necessary Certificate of Insurance with the Commission.

No one appeared in opposition to the granting of authority herein sought.

The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

It does not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein, as set forth in the Order following.

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

##### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That permit should issue to applicant herein, as set forth in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above Findings be, and the same hereby is, approved.

That Dave Marquez, Del Norte, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor ve-

hicle for hire, for the transportation of sand and gravel, from point to point within a radius of fifty miles of Del Norte, Colorado, restricted against the use of tank trucks.

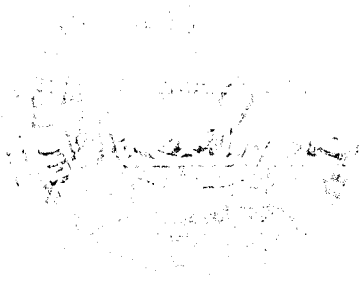
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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

  
Joseph F. Nigro  
Joseph C. Horton  
August E. Zaulinger  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

mls

original

(Decision No. 53220)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
MANUEL S. MEDINA, DEL NORTE, COLO- )	
RADO, FOR A CLASS "B" PERMIT TO )	APPLICATION NO. 17332-PP
OPERATE AS A PRIVATE CARRIER BY )	<u>AMENDED</u>
MOTOR VEHICLE FOR HIRE. )	
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-----  
October 8, 1959  
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Appearances: Richard E. Conour, Esq.,  
Del Norte, Colorado,  
for Applicant.

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 point to point within a radius of fifty miles of Del Norte, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Del Norte, Colorado, September 9, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 4, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant was unable to appear, and his attorney moved to amend said appli-

cation to show that applicant seeks statewide sand and gravel authority, and that said matter be heard upon the records and files herein; that thereupon, the records and files herein were made a part of the record, and the matter was taken under advisement; that the files disclose that applicant is qualified, financially and by experience to conduct his proposed operations; that he is presently operating under Temporary Authority issued by this Commission; that he has filed the necessary Certificate of Insurance covering his motor vehicle operations.

No one appeared in opposition to the granting of authority herein sought.

The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

It does not appear that applicant's operations, as hereinafter limited, will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein, as set forth in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above Findings be, and the same hereby is, approved.

That Manuel S. Medina, Del Norte, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of



said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, transportation of road-surfacing materials to be limited to the use of dump trucks, 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 authority sheets.

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

  
Joseph F. Nigro

Robert C. Hobart

Donald E. Zulungo  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

mls

original

(Decision No. 53221)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
DENNIS J. PACHECO, STAR ROUTE, DEL )	
NORTE, COLORADO, FOR A CLASS "B" )	APPLICATION NO. 17333-PP
PERMIT TO OPERATE AS A PRIVATE CAR- )	
RIER BY MOTOR VEHICLE FOR HIRE. )	
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-----  
October 8, 1959  
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Appearances: Richard E. Conour, Esq.,  
Del Norte, Colorado,  
for Applicant.

S T A T E M E N T

By the Commission:

By the above-styled application, applicant herein sought authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand and gravel, from point to point within a radius of fifty miles of Del Norte, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Del Norte, Colorado, September 9, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 4, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of said Examiner states that at the time and place designated for hearing, Applicant requested that said application be dismissed.

Report of the Examiner recommends that Applicant's request be granted, and said application dismissed.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That the above-styled application should be dismissed, as requested by Applicant herein.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above Findings be, and the same hereby is, approved.

That Application No. 17333-PP be, and the same hereby is, dismissed, upon request of Applicant herein.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Robert C. Horton  
Anthony E. Zaulengo  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

mls

original

(Decision No. 53222)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOE T. PACHECO AND CHRIS R. PACHECO, )  
CO-PARTNERS, DOING BUSINESS AS "JOE ) APPLICATION NO. 17334-PP-Extension  
T. PACHECO & SON," DEL NORTE, COLO- )  
RADO, FOR AUTHORITY TO EXTEND OPERA- )  
TIONS UNDER PERMIT NO. B-1592. )  
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-----  
October 8, 1959  
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Appearances: Richard E. Conour, Esq.,  
Del Norte, Colorado,  
for Applicant.

S T A T E M E N T

By the Commission:

Applicants herein are the owners and operators of Permit No.  
B-1592, authorizing operation as a private carrier by motor vehicle for  
hire, for the transportation of:

farm products (except livestock) and farm  
supplies, between farms within a radius of  
twenty-five miles of Del Norte, Colorado,  
and shipping docks and storage at or near  
Del Norte, Colorado; boxes, baskets, box  
shook, hampers, and other packing shed  
supplies, and green vegetables, between  
packing sheds within a radius of fifty  
miles of Del Norte, Colorado.

By the above-styled application, said permit-holders seek  
authority to extend operations under said Permit No. B-1592, to in-  
clude the right to transport sand, gravel, and other road-building and  
surfacing materials, between points within a radius of fifty miles of  
Del Norte, Colorado, for road contractors and others engaged in road  
and highway construction.

Said application was regularly set for hearing before the Com-  
mission, at the Court House, Del Norte, Colorado, September 9, 1959, at  
ten o'clock A. M., due notice thereof being forwarded to all parties in

interest.

On September 4, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of the Examiner states that at the hearing, Joe T. Pacheco, one of applicants herein, appeared in support of the application, stating he has been conducting operations under Permit No. B-1592 with his son, Chris R. Pacheco, as a co-partnership; that they have sufficient equipment and ample net worth to conduct their proposed extended operations; that they have received numerous requests for their proposed extended service; that they are presently operating under Temporary Authority issued by this Commission; that it is agreeable that they be limited to the use of dump trucks in transportation of road-building and surfacing materials.

No one appeared in opposition to the granting of authority herein sought, as limited by applicant's testimony.

The operating experience and financial responsibility of applicants were established to the satisfaction of the Commission.

It does not appear that applicants' proposed extended operations, as hereinafter limited, will impair the efficiency of any common carrier operating in the territory sought to be served by applicants.

Report of the Examiner recommends that extended authority be granted to applicants herein, as set forth in the Order following.

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

##### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a

part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That applicants herein should be authorized to extend operations under Permit No. B-1592, as set forth in the Order following.

O R D E R

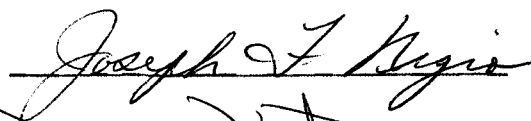
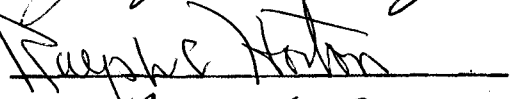

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

That Joe T. Pacheco and Chris R. Pacheco, co-partners, doing business as "Joe T. Pacheco & Son," Del Norte, Colorado, be, and they hereby are, authorized to extend operations under Permit No. B-1592, to include the right to transport sand, gravel, and other road-building and surfacing materials, between points within a radius of fifty miles of Del Norte, Colorado, for road contractors and others engaged in road and highway construction, transportation of road-building and road-surfacing materials to be limited to the use of dump trucks, only.

This Order is made a part of the permit granted to applicants, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

mls

original

(Decision No. 53223)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
E. M. SAMUELS, BOX 725, DEL NORTE, }  
COLORADO, FOR A CLASS "B" PERMIT TO }  
OPERATE AS A PRIVATE CARRIER BY }  
MOTOR VEHICLE FOR HIRE. }  
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APPLICATION NO. 17335-PP

-----  
October 8, 1959  
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Appearances: Richard E. Conour, Esq.,  
Del Norte, Colorado,  
for Applicant.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Court House, Del Norte, Colorado, September 9, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 4, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that Jones and Meiklejohn, Attorneys for Denver Chicago Transport Company, Inc., filed a written protest to the granting of authority herein sought, stating there would be no objection to issuance of said authority, in the event applicant is restricted to the use of dump trucks, in transportation of road-surfacing materials; that at the hearing, applicant testified he is presently operating under Temporary Authority issued by this Commission; that he has sufficient equipment and net worth to carry on his proposed operation; that he has received numerous requests for said services; that it is agreeable that he be limited to the use of dump trucks in transportation of road-surfacing materials.

No one appeared in opposition to the granting of authority herein sought, as limited by applicant's testimony.

The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

It does not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein, as hereinafter limited.

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

##### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner re-



ferred to therein should be approved.

That permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the Report of the Examiner referred to in the above Findings be, and it hereby is, approved.

That E. M. Samuels, Del Norte, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, transportation of road-surfacing materials to be limited to the use of dump trucks, 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 authority sheets.

That the right of applicant to operate hereunder shall de-

pend 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

*Joseph F. Nizior*  
*Joseph C. Horton*  
*Henry E. Zalusky*  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

mls

original

(Decision No. 53224)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LLOYD W. SMITH, 330 MONROE, MONTE )  
VISTA, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 17336-PP

-----  
October 8, 1959  
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Appearances: Lloyd W. Smith, Monte  
Vista, 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, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Court House, Del Norte, Colcrado, September 9, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 4, 1959, the Commission, as provided by law,

designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that Jones and Meiklejohn, Attorneys for Denver Chicago Transport Company, Inc., filed written protest to the granting of authority herein sought, stating, however, there would be no objection to granting of said authority, in the event applicant were limited to the use of dump trucks, in transportation of road-surfacing materials; that at the hearing, applicant appeared in support of his application, stating he is presently operating under Temporary Authority issued by this Commission; that he has sufficient equipment with which to conduct his proposed operations; that his net worth is \$3,000; that he has received numerous requests for his proposed services; that it is agreeable that transportation of road-surfacing materials be limited to the use of dump trucks.

No one appeared in opposition to the granting of authority herein sought, as limited by applicant's testimony.

The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

Report of the Examiner recommends that authority be granted applicant herein, as set forth in the Order following.

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

##### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

That Lloyd W. Smith, Monte Vista, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, transportation of road-surfacing materials to be limited to the use of dump trucks, 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 authority sheets.

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

Joseph T. Myers  
Ralph C. Horton  
Alvin E. Zuckerman  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

mls

original

(Decision No. 53225)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOSEPH W. MORELAND, LA GARTIA, )  
COLORADO, FOR AUTHORITY TO EXTEND ) APPLICATION NO. 17365-PP Extension  
OPERATIONS UNDER PERMIT NO. B-5167. )  
-----

-----  
October 8, 1959  
-----

Appearances: Richard E. Conour, Esq.,  
Del Norte, Colorado,  
for Applicant.

S T A T E M E N T

By the Commission:

Joseph W. Moreland, La Garita, Colorado, is presently the owner and operator of Permit No. B-5167, authorizing him to operate as a private carrier by motor vehicle for hire, for the transportation of:

lumber, from point to point within a radius of forty miles of Del Norte, Colorado, for Kaibab Lumber Company of Colorado, only.

By the above-styled application, said permit-holder seeks authority to extend operations under said Permit No. B-5167, to strike therefrom the limitation to service of Kaibab Lumber Company, only, in transportation of lumber, from point to point within a radius of forty miles of Del Norte, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Del Norte, Colorado, September 9, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 4, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant herein appeared in support of his application, stating he has received numerous requests for service from customers other than Kaibab Lumber Company of Colorado; that he has sufficient equipment and net worth to carry on his proposed extended operations; that he is presently operating under Temporary Authority issued by this Commission.

No one appeared in opposition to the granting of authority herein sought.

The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

It does not appear that applicant's proposed extended services will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that authority herein sought be granted.

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

##### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That Joseph W. Moreland, LaGarita, Colorado, should be authorized to extend operations under Permit No. B-5167, as set forth in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above Find-



ings be, and the same hereby is, approved.

That Joseph W. Moreland, La Garita, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-5167, so that he shall be authorized, under said Permit No. B-5167, as extended, to transport:

lumber, from point to point within a radius of forty miles of Del Nore, Colorado,

the restriction that he be limited to service for Kaibab Lumber Company of Colorado, only, being hereby specifically stricken from said Permit No. B-5167.

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

*Joseph F. Nigro*

*Joseph C. Horton*

*August E. Zuleygo*  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE VARIOUS CHANGES IN RATES, RULES )  
AND REGULATIONS IN THE COLORADO )  
MOTOR CARRIERS' ASSOCIATION, AGENT, )  
LOCAL AND JOINT FREIGHT TARIFF NO. )  
12-A, COLORADO P.U.C. NO. 11, ISSUED )  
BY J. R. SMITH, CHIEF OF TARIFF BUREAU, )  
4060 ELATI STREET, DENVER 16, COLORADO.)  
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CASE NO. 1585

-----  
October 8, 1959  
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S T A T E M E N T

By the Commission:

Under the provisions of Rule 18, Paragraph C-(1)-(A), of the "Rules of Practice and Procedure" of the Commission, there were filed with the Commission on statutory notice schedules stating new rates, rules, regulations and charges advertised to become effective October 15, 1959, designated as set forth in Appendix "A", attached hereto and made a part hereof.

Under the provision of Rule 18, Paragraph C-(1)-(A) of the said Rules of Procedure, following the protest deadline (ten days prior to the proposed effective date) an order of the Commission is required prescribing the changes set forth in the proposed new schedules.

In justification of the following changes the Commission has been informed by letters from carriers involved, that:

Item No. 250, an exception rating to the governing classification on cotton clayed or other than cotton clayed bags as shown in the attached appendix, is being eliminated.

Mr. Howard D. Hicks, General Traffic Manager, Centennial Truck Lines, Inc., states that, "The exception named in that item is higher than the present classification rating named in Item No. 7760 in National Motor Freight Classification A-4. The exception provides a rating of Class 70, while the classification provides a rating of Class 55." This change will result in a reduction of charges.

Item No. 850, Extra Labor Charges, is being increased from \$3.50 to \$4.50 per hour. In support and justification for this increase the following is quoted from Mr. Howard Hicks' letter:

"We would like to point out that carriers have recently received an increase in their costs occasioned by labor contract increases. Also, the present labor contract provides for cost of living increases and the basic cost per hour for helpers was increased  $3\frac{1}{2}\phi$  in May, 1959, and another cent in August due to the increase in the cost of living. In addition, the \$3.50 charge presently in effect was based on labor charges in effect before the most recent labor contract signed and the \$4.50 charge will allow the carrier to provide the extra service without loss. At the present time the \$3.50 charge does not cover the entire out of pocket expense and the overhead."

The shipping public has an alternative provision in that they can supply their own additional help if they so desire.

Item No. 1070, Special Trips, is being amended by eliminating "Tractor with single axle semi-trailer \$10.00 per hour" and adding this to "Tractor with single or tandem axle semi-trailer \$15.00 per hour."

Mr. Howard Hicks states:

"It has been brought to our attention by our operating department that the cost of providing a tractor and single axle semi-trailer is almost the same as providing a tractor with tandem axle semi-trailer. The cost per hour or per mile for single axle trailer and tandem semi-trailer is almost the same."

For the account of Rio Grande Motor Way, Inc.:

Item No. 1545 is being amended as shown in the appendix attached to provide rates for these commodities to apply also via the Rio Grande Motor Way, Inc., and its joint operations in conjunction with Aspen Truck Line and Telluride Transfer Company. These carriers concur in the rates with Rio Grande Motor Way, Inc. Mr. Ralph H. Knull, Assistant Traffic Manager, states these rates are based on the same formula as used already in the present item, i.e., the Class 200 rating.

Item No. 1930 (Gilsonite or Asphaltum) is being amended by adding Alamosa, Colorado, as a destination point. The shipments originate at Craig, Colorado, and a portion of the distance will be routed via Larson Transportation Company. According to Mr. Knull, the rate is being established on the same mileage ratio (266:310) as the 81¢ rate being used between Craig and Greeley.

Item No. 2495 (Roofing or siding or roofing or siding materials) is being amended by adding rates to Canon City, Dolores, Florence, Gunnison and Hooper as shown in the attached appendix. The rates are being established in an attempt to eliminate shipper-owned carriage.

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

##### THE COMMISSION FINDS:

That the changes set forth in Appendix "A", attached hereto, and made a part hereof, appear to represent just, fair and reasonable rates and charges and should be authorized and an order entered prescribing the said changes.

#### O R D E R

##### THE COMMISSION ORDERS, That:

1. The statement, findings and Appendix "A", be, and the same are hereby made a part hereof.
2. This order shall become effective forthwith.
3. The rates, rules, regulations and provisions set forth in Appendix "A", shall on October 15, 1959, be the prescribed rates, rules, regulations and provisions of the Commission.
4. All motor vehicle common carriers who are affected by the changes prescribed herein shall publish or cause to be published new tariffs reflecting the changes prescribed herein.
5. All private carriers by motor vehicle to the extent they are affected by the changes involved herein shall publish, or cause to be published, rates, rules, regulations and provisions which shall not be less than those herein prescribed for motor vehicle common carriers.

6. On and after October 15, 1959, all affected motor vehicle common carriers shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein prescribed, provided that call and demand motor vehicle common carriers shall be subject to the penalty rule of twenty (20) per cent.

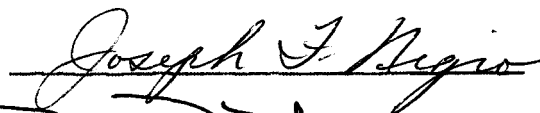
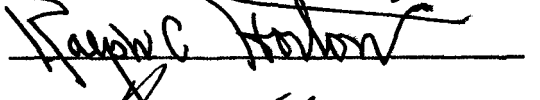

7. On and after October 15, 1959, all private carriers by motor vehicle operating in competition with any motor vehicle common carrier, affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed, provided that Class "B" private carriers shall be subject to the penalty rule of twenty (20) per cent.

8. This order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

9. The order entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force and effect until further order of the Commission.

10. Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 8th day of October, 1959.

mem

# APPENDIX "A"

Colorado Motor Carriers' Association, Agent

Local and Joint Freight Tariff No. 12-A  
Colorado P.U.C. No. 11

Eliminate the following item:

EXCEPTIONS TO RATINGS OF THE GOVERNING CLASSIFICATION		
ITEM NO.	ARTICLES	CLASS RATING
250	<p>Dry Goods, viz.:</p> <p>Bags, clayed cotton, L.T.L., or any quantity.</p> <p>Bags, cotton, other than clayed cotton, N.O.I.B.N. (Will not apply on old used bags.)</p> <p>Bags, net, cotton, N.O.I.B.N., in machine pressed bales, L.T.L.</p>	70

Amend the following items:

RULES AND REGULATIONS											
ITEM NO.	APPLICATION										
850	<p><u>EXTRA LABOR:</u></p> <p>Where or whenever necessary to furnish extra help (other than the driver) to load or unload articles, on account of their weight or size, such service will be charged for at a rate of (A) \$4.50 per hour for each extra man required.</p>										
1070	<p><u>SPECIAL TRIPS:</u></p> <p>(Will not apply via Larson Transportation Company, North Eastern Motor Freight, Inc., Ringsby Truck Lines, Inc., or Rio Grande Motor Way, Inc.)</p> <p>In the event consignor or consignee requests that carrier transport shipments on other than regularly scheduled trips, or requests exclusive use of the vehicle, such service will be performed and will be charged for at the applicable rate per 100 pounds or the following hourly charges, whichever results in the greater total charge:</p> <p>Use of Equipment and one man:</p> <table> <tr> <td>Truck with rated capacity of <math>\frac{1}{2}</math> ton - - - - -</td><td>\$ 6.00 per hr.</td></tr> <tr> <td>Truck with rated capacity exceeding <math>\frac{1}{2}</math> ton - - - - -</td><td>7.50 per hr.</td></tr> <tr> <td>Truck and trailer combination - - - - -</td><td>10.00 per hr.</td></tr> <tr> <td>Tractor with single axle semi-trailer - - - - -</td><td>(E) (A)</td></tr> <tr> <td>Tractor with (A) single or tandem axle semi-trailer - - - - -</td><td>15.00 per hr.</td></tr> </table> <p>Time charges shall include driving time to and from the carrier's dock.</p> <p>Special trips between Denver and Rocky Flats, Colorado, on Saturdays, Sundays or holidays, will be charged for at the weight times the applicable rate or rates, but not less than \$25.00 per trip.</p>	Truck with rated capacity of $\frac{1}{2}$ ton - - - - -	\$ 6.00 per hr.	Truck with rated capacity exceeding $\frac{1}{2}$ ton - - - - -	7.50 per hr.	Truck and trailer combination - - - - -	10.00 per hr.	Tractor with single axle semi-trailer - - - - -	(E) (A)	Tractor with (A) single or tandem axle semi-trailer - - - - -	15.00 per hr.
Truck with rated capacity of $\frac{1}{2}$ ton - - - - -	\$ 6.00 per hr.										
Truck with rated capacity exceeding $\frac{1}{2}$ ton - - - - -	7.50 per hr.										
Truck and trailer combination - - - - -	10.00 per hr.										
Tractor with single axle semi-trailer - - - - -	(E) (A)										
Tractor with (A) single or tandem axle semi-trailer - - - - -	15.00 per hr.										

SECTION NO. 2 COMMODITY RATES (For Application, See Page No. 190 of Tariff)					
Rates are in Cents per 100 Pounds (Unless otherwise stated)					
ITEM NO.	COMMODITY	BETWEEN	AND	RATES	ROUTE NO.
1545	Commodities in the same item may be shipped in straight or mixed truck loads.  Coin Containers, Telephone, with records and keys, in composition cases and/or Coin Receptacles, telephone, with or without coins, in composition cases, released to a value not exceeding 50¢ per pound.  (2) The minimum charge will be for 100 pounds at the applicable rate.	<u>Colorado</u>			
		+(R)Aspen	Denver, Colo.	632	145
		Colo. Spgs.		300	47
		+(R)Cortez		718	79;87
		+(R)Durango		672	79;87
		Fairplay		(2) 370	21
		+(R) Glenwood Spgs.		580	87
		+(R)Grand Junction		666	87
		+(R)Gunnison		578	87
		Meeker		(2) 546	122
		+(R)Ouray		672	87
		Pueblo		355	47
		Rangely		(2) 656	122
		+(R)Rifle		620	87
		+(R)Silverton		744	79;87
		Springfield		549	81
		+(R)Telluride		792	94
1930	Gilsonite or Asphaltum, in bags or barrels, minimum weight 40,000 pounds.	<u>FROM</u>		<u>TO</u>	
		Craig, Colo.	Denver	58	25
			Boulder	58	
			Ft.		
			Collins	75	-
			Greeley	81	56
			+(R)		
Alamosa	94		39		
	Colorado				
2495	Roofing or Siding or Roofing or Siding Materials, viz.: Asphalt; Cement, roofing; Paper, building or roofing; Pitch; Roofing, composition or prepared, NOI; Shingles, asphalt composition or asbestos; Siding, asphalt composition or asbestos; Wallboard, asbestos. Minimum weight 30,000 lbs.				
	NOTE: Rates will also apply on accessories necessary in applying the roofing, shingles and siding, but not to exceed 10 per cent of the weight on which charges are assessed.				
	Shipper to place freight at tail gate of truck or trailer and consignee to receive freight at tail gate of trailer or truck, or equipment will be spotted for unloading by consignee.				
(Continued on following sheet)					

BETWEEN DENVER, COLORADO, AND:						
ITEM NO.	COLORADO	RATES	ROUTE NO.	COLORADO	RATES	ROUTE NO.
2495 (Cont.)	Air Force Academy	26	47	Greeley	23	47
	Alamosa	61	87	+(R) Gunnison	70	87
	Ault	23	47	Gypsum	66	87
	Bayfield	82	87	Haxtun	37	4
	Blanca	61	87	Holyoke	37	4
	Boulder	18	49	+(R) Hooper	61	87
	Brighton	16	47	Ignacio	82	87
	Brush	29	32	Julesburg	41	32
	Buena Vista	52	87	Kersey	23	47
	+(R) Canon City	40	87	La Junta	40	47
	Center	61	87	Lamar	44	47
	Colorado Springs	26	47	La Salle	22	47
	Cortez	94	87	Leadville	58	87
	Craig	71	25	Littleton	15	47
	Del Norte	61	87	Loveland	23	12
	Delta	72	87	Mancos	94	87
	+(R) Dolores	94	87	Monte Vista	61	87
	Durango	82	87	Montrose	72	87
	Dyke	82	87	New Castle	66	87
	Eagle	66	87	Pagosa Springs	82	87
	Eaton	23	47	Peetz	37	32
	+(R) Florence	40	87	Pueblo	34	47
	Fort Carson	26	47	Rifle	72	87
	Fort Collins	30	158	Salida	52	87
	Fort Garland	61	87	Silt	66	87
	Fort Lupton	18	47	South Fork	61	87
	Fort Morgan	26	32	Steamboat Springs	61	25
	Glenwood Springs	66	87	Sterling	35	32
	Grand Junction	72	87	Trinidad	42	47
	Granite	58	87	Wiggins	25	32

NOTES: (E) - Elimination; (A) - Advance; (R) - Reduction; + - Addition

ROUTES: No. 4 - North Eastern Motor Freight, Inc., Sterling, Colorado, Brooks Transportation Company  
 No. 12 - Denver-Loveland Transportation Company - direct  
 No. 21 - South Park Motor Lines - direct  
 No. 25 - Larson Transportation Company - direct  
 No. 32 - North Eastern Motor Freight, Inc. - direct  
 No. 39 - Rio Grande Motor Way, Inc., Denver, Colo., Larson Transportation Co.  
 No. 47 - Centennial Truck Lines, Inc. - direct  
 No. 56 - Centennial Truck Lines, Inc., Denver, Colorado, Larson Transportation Company  
 No. 79 - Centennial Truck Lines, Inc., Pueblo, Colorado, Rio Grande Motor Way, Inc.  
 No. 81 - Centennial Truck Lines, Inc., Lamar or Walsh, Colorado, K & K Transfer  
 No. 87 - Rio Grande Motor Way, Inc. - direct  
 No. 94 - Rio Grande Motor Way, Inc., Grand Junction or Montrose, Colorado, Telluride Transfer Co.  
 No. 122 - Harp Transportation Line - direct  
 No. 145 - Rio Grande Motor Way, Inc., Glenwood Springs, Colorado, Aspen Truck Line



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
COLORADO CENTRAL POWER COMPANY, A )  
DELAWARE CORPORATION, 3470 SOUTH )  
BROADWAY, ENGLEWOOD, COLORADO, )  
FOR AUTHORITY TO ISSUE AND SELL )  
APPROXIMATELY 66,490 ADDITIONAL )  
SHARES OF ITS COMMON STOCK OF THE )  
PAR VALUE OF TWO AND A HALF )  
DOLLARS PER SHARE. )  
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APPLICATION NO. 17440-Securities

-----  
October 15, 1959.  
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S T A T E M E N T

By the Commission:

Upon consideration of the application filed October 14, 1959, by Colorado Central Power Company, a Delaware Corporation, Englewood, Colorado, in the above-styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on Monday, October 26, 1959, at ten o'clock A. M., in the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, respecting the matters involved and the issues presented in this proceeding.

Any interested municipality or any representative of interested consumers or security holders of applicant corporation, and any other person whose participation herein is in the public interest, may intervene in said proceedings.

Intervention petitions should be filed with the Commission on or before October 22, 1959, and should set forth the grounds of the proposed intervention, and the position and interest of the petitioners in the pro-

ceeding, and must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Joseph S. Hobson  
Wm. E. Pauling  
Commissioners

Dated at Denver, Colorado,  
this 15th day of October, 1959.

EW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WARREN E. GRESHAM, ELBERT, )  
COLORADO. )  
----- )

PUC NO. 1134

-----  
October 22, 1959  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a request from the above-named  
certificate-holder requesting that his PUC No. 1134  
be suspended for six months from October 14, 1959.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Warren E. Gresham, Elbert, Colorado  
\_\_\_\_\_  
\_\_\_\_\_, be, and is hereby, authorized to suspend oper-  
ations under PUC No. 1134 until April 14, 1960.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Commissioners

Dated at Denver, Colorado,  
this 22nd day of October 1959.

original

(Decision No. 53229)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF ISSUANCE OF )  
TEMPORARY CERTIFICATES OF PUB- )  
LIC CONVENIENCE AND NECESSITY )  
UNDER CHAPTER 80, SESSION LAWS )  
OF COLORADO, 1951, FOR EMER- )  
GENCY MOVEMENT OF SORGHUMS AND )  
SUGAR BEETS. )  
-----

APPLICATION NO. 17443

-----  
October 8, 1959  
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S T A T E M E N T

By the Commission:

Report has been received by the Commission from Louis J. Carter, Supervisor, Complaint and Investigation Division of this Commission, indicating that an emergency will exist because of shortage of trucks for transportation of sorghums and sugar beets in the Counties of Bent, Crowley, Otero, Prowers, and Pueblo, State of Colorado, from October 15, 1959, to and including November 15, 1959.

Request is made for an Order of the Commission relative to issuance of temporary certificates of public convenience and necessity for seasonal transportation of said sorghums and sugar beets in the above-mentioned Counties.

F I N D I N G S

THE COMMISSION FINDS:

That an emergency will exist because of shortage in certificated trucks for transportation of sorghums and sugar beets in the Counties of Bent, Crowley, Otero, Prowers, and Pueblo, State of Colorado, and that public convenience and necessity require that temporary certificates of public convenience and necessity should issue for operation of motor vehicles for transportation of said sorghums and sugar beet crops, to market or place of storage, as provided by Chapter 80,

Session Laws of 1951, said certificates to be effective from October 15, 1959, to November 15, 1959, both dates inclusive.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity be, and are hereby, authorized to be issued for operation of motor vehicles for the transportation of sorghums and sugar beets, to market or place of storage, in the Counties of Bent, Crowley, Otero, Prowers, and Pueblo, State of Colorado, said certificates to become effective October 15, 1959, and to continue in force up to and including November 15, 1959, no such certificate to issue for transportation of such products by motor vehicle to any points beyond the boundaries of the State of Colorado.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Robert C. Horton  
Henry E. Paulsen  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

NORMAN W. EYL, DOING BUSINESS AS,  
"WESTERN SLOPE RANCH SUPPLY", P. O.  
BOX 596, MONTROSE, COLORADO.

PERMIT NO. M-14321

October 22, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Norman W. Eyl,  
doing business as, "Western Slope Ranch Supply", Montrose, Colorado  
requesting that Permit No. M-14321 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14321, heretofore issued to Norman W. Eyl, doing  
business as, "Western Slope Ranch Supply", Montrose, Colorado be,  
and the same is hereby, declared cancelled effective October 19, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
George C. Norton  
Henry E. Zurlings  
Commissioners

Dated at Denver, Colorado,

this 22nd day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
KENNETH L. POST, 327 LIBERTY STREET, )  
BELLEVILLE, MICHIGAN. )  
\_\_\_\_\_ )

PERMIT NO. M-15011

\_\_\_\_\_  
October 22, 1959  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Kenneth L. Post,  
Belleville, Michigan.  
requesting that Permit No. M-15011 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15011, heretofore issued to Kenneth L. Post,  
Belleville, Michigan. be,  
and the same is hereby, declared cancelled effective October 12, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
James C. Houston  
Wm. E. Zerkow  
Commissioners

Dated at Denver, Colorado,

this 22nd day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
KENNETH L. POST, 327 LIBERTY )  
STREET, BELLEVILLE, MICH- )  
GAN. )  
 )  
 )  
 )  
 )

PUC NO. 4032-I

-----  
October 22, 1959  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Kenneth L. Post,  
Belleville, Michigan

requesting that Certificate of Public Convenience and Necessity No. 4032-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. 4032-I heretofore issued to Kenneth L.  
Post, Belleville, Michigan

be, and the same is hereby, declared cancelled effective October 12, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Norton  
Henry E. Zuckerman  
Commissioners

Dated at Denver, Colorado,  
this 22nd day of October, 1959.

hc



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

HOWARD A. YEAGY, 300 SOUTH DATURA  
APARTMENT 5, LITTLETON, COLORADO.

PERMIT NO. M-2585

October 22, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Howard A. Yeagy,

Littleton, Colorado

requesting that Permit No. M-2585 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2585, heretofore issued to Howard A. Yeagy,

Littleton, Colorado be,

and the same is hereby, declared cancelled effective October 10, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Ralph C. Horton  
Wm. E. Zurling  
Commissioners

Dated at Denver, Colorado,

this 22nd day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
L. W., R. BURL AND BERNARD BROWNELL, )  
DOING BUSINESS AS, "BROWNELL FARMS", )  
R.F.D. 2, FLEMING, COLORADO. )  
----- )

PERMIT NO. M-15792

-----  
October 22, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from L. W., R. Burl and  
Bernard Brownell, dba "Brownell Farms", Fleming, Colorado  
requesting that Permit No. M-15792 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15792, heretofore issued to L. W., R. Burl and  
Bernard Brownell, dba "Brownell Farms", Fleming, Colorado be,  
and the same is hereby, declared cancelled effective October 16, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Henry E. Zurling  
Commissioners

Dated at Denver, Colorado,

this 22nd day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
ARCHER PRODUCTS COMPANY, INCORPORATED,  
3701 NORTH GROVE STREET, FORT WORTH,  
TEXAS.

PERMIT NO. M-8103

October 22, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Archer Products  
Company, Inc., Fort Worth, Texas

requesting that Permit No. M-8103 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8103, heretofore issued to Archer Products  
Company, Inc., Fort Worth, Texas be,

and the same is hereby, declared cancelled effective September 18, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
George C. Horton  
Wm. E. Ziehlings  
Commissioners

Dated at Denver, Colorado,

this 22nd day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ARCHER PRODUCTS COMPANY, )  
INCORPORATED, 3701 NORTH GROVE )  
STREET, FORT WORTH, TEXAS. )

PUC NO. 3272-I

-----  
October 22, 1959  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Archer Products  
Company, Inc., Fort Worth, Texas

requesting that Certificate of Public Convenience and Necessity No. 3272-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. 3272-I heretofore issued to Archer Products  
Company, Inc., Fort Worth, Texas

be, and the same is hereby, declared cancelled effective September 18, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Joseph C. Hord  
Henry E. Zullinger  
Commissioners

Dated at Denver, Colorado,  
this 22nd day of October, 1959.

hc

original

(Decision No. 53237)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
GREELEY GAS COMPANY, 1930 SHERMAN )	
STREET, DENVER, COLORADO, FOR AN )	
ORDER AUTHORIZING THE ISSUANCE OF )	<u>APPLICATION NO. 17391-Securities</u>
CERTAIN SECURITIES. )	
-----	

-----  
October 20, 1959  
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Appearances: Holme, Roberts, More and  
Owen, Esqs., Denver, Colo-  
rado, for Applicant;  
J. M. McNulty, Denver,  
Colorado, and  
E. R. Thompson, Denver,  
Colorado, for the Commis-  
sion.

S T A T E M E N T

By the Commission:

The Applicant, Greeley Gas Company, is engaged in the business of purchasing, distributing and selling natural gas in various communities of Colorado, including the Towns of Greeley, Canon City, Craig, and other areas in Weld, Fremont and Moffat Counties near said Towns. Applicant is also carrying on the same business in Wyandotte, Leavenworth, Johnson, Morris, Marion and Dickinson Counties, in Kansas. Applicant is therefore a gas public utility, subject to the jurisdiction of the Commission, operating gas distributing systems within the State of Colorado. Its administrative offices are at 1930 Sherman Street, Denver, Colorado. It is authorized by its Certificate of Incorporation to carry on business at such places within and outside the State of Colorado, wherever located, as its board of directors may from time to time determine.

In an application filed with this Commission on September 22, 1959, Greeley Gas Company seeks an Order authorizing two transactions.

The first is the issuance and sale, pursuant to Colorado Revised Statutes, 1953, Section 115-1-4, of its First Mortgage Bonds Series B, due 1960-1974, in the aggregate principal amount of \$450,000, at a price equal to 95% of the principal amount plus interest accrued from October 1, 1959, subject to payment of a brokerage commission, legal, printing and other expenses in connection with the issuance and sale of such securities and to apply the proceeds from such sale for the purpose of repaying its presently outstanding indebtedness for borrowed money. The second transaction for which approval is sought is the declaration of a stock dividend of 1,000 shares of common stock on its 6,000 shares of outstanding common stock, and transfer of \$100,000 from earned surplus to capital stock on the Company's balance sheet.

After appropriate notice, a public hearing was held on said application in the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, on October 8, 1959, at 9:30 o'clock A. M., and at the conclusion thereof, the matter was taken under advisement by the Commission.

No petitions of intervention were filed with the Commission prior to the hearing, and no one appeared at the hearing in opposition to the application.

Subject to the approval and authorization by this Commission, Applicant has signed an underwriting agreement with Peters, Writer & Christensen, Inc. (the "Underwriter") providing that the underwriter will purchase and the applicant will sell \$450,000 in principal amount of the bonds at a price equal to 95% of the principal amount thereof, plus interest accrued through the date of closing, said securities being described in the underwriting agreement, which was received in the record and identified, along with copies of the Second Supplemental Indenture, respectively, as Exhibits A and B and are hereby incorporated in this Statement by

reference.

At the hearing, Homer S. Lanning, Vice-President and Treasurer of Greeley Gas Company, testified that after such transactions, bonds of the Series B will be outstanding in the aggregate principal amount of \$450,000, that they will be issued under the provisions of the Second Supplemental Indenture which is Exhibit B, that bonds are callable after September 30, 1961, and prior to maturity on payment of a premium of 2% of the principal amount being redeemed, no premium being payable for payment at maturity.

In case of any partial redemption, those to be redeemed will be chosen in inverse order of serial number, the highest numbered bonds (which mature last) being redeemed first, except that so long as any bonds of the 1974 maturity remain outstanding, each partial redemption will consist of a unit of six bonds in the principal amount of \$500 and fourteen bonds in the principal amount of \$1,000, or exact multiple of such unit, bonds of each denomination being chosen in inverse order of serial numbers.

Mr. Lanning further testified that the Company had incurred short term indebtedness, which, on September 30, 1959, totalled \$450,000, for the purpose of financing substantial additions to its systems, and that the Company considered it advisable to convert its short-term notes which were then in the principal amount of \$450,000 to bonds and other permanent securities. He stated that in his opinion the rate of 5-3/4% on some of the new bonds was economical in this present period of high interest rates, and that other methods of financing the Company's expansion had been examined and not found to be feasible.

Mr. Lanning also testified that he considered the cost of issuing the new bonds more economical than placement through competitive bidding. He stated that the interest on all of the Com-

pany's outstanding bonds and debentures would be approximately \$133,607 per year, and that if earnings continue at the present rate, they will be, before Federal taxes, approximately \$357,326 or 2.67 times the annual interest charges. Applicant's Exhibit C contains the pro forma balance sheet, as of July 31, 1959, and pro forma statement of income for the twelve months period then ended, giving effect to the issuance of the proposed bonds and the retirement of outstanding indebtedness for borrowed money. This Exhibit is hereby incorporated in this Statement by reference.

The net increase in cash, resulting from the sale of the \$450,000 principal amount of bonds, will be used for the repayment of debt and for payment of expenses incidental to the issuance of the bonds; thus, no substantial sum will be available for investment in revenue-producing facilities, but the short term debt being retired was incurred for that purpose.

With respect to the stock dividend, Mr. Lanning testified that although the Company's earned surplus aggregated \$192,895, during the past three years the Company had made over \$700,000 in capital additions to its system and properties, so that the surplus is now largely in the form of physical plant rather than cash and hence is not actually available for distribution as dividends. He stated that in order to present a more realistic financial picture on the Company's balance sheet, \$100,000 of the surplus is proposed to be transferred to capital, and that to accomplish this, a stock dividend of 1,000 shares of common stock would be issued on the 6,000 shares of common stock now outstanding.

The Second Supplemental Indenture, dated as of October 1, 1959, First Mortgage Bonds, Series B, due 1960-1974, Exhibit B in this proceeding, is in substantially final form with the exception of certain figures to be inserted on the closing date of the sale. Applicant's witness stated that the Company would be willing to file as a



late filed Exhibit a final executed copy of this Supplemental Indenture.

## F I N D I N G S

### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

That Applicant, Greeley Gas Company, is a public utility as defined in Section 115-1-3, Colorado Revised Statutes, 1953.

That this Commission has jurisdiction of said Company and the subject matter of the application herein.

That the Commission is fully advised in the premises.

That the issuance by the Company of the \$450,000 First Mortgage Bonds, Series B, proposed to be issued, as testified to herein, is reasonably required and necessary for its proper corporate financing and for the repayment of its indebtedness, as aforesaid.

That the Company appears able to service the bonds at the proposed rates of interest.

That the proposed issue of bonds is to be sold to Peters, Writer & Christensen, Inc., at a price equal to 95% of the aggregate principal amount, plus interest accrued through the date of purchase.

That for the proper and easy identification thereof, each bond in the denomination of \$1,000 should bear a serial number on the face thereof preceded by the letters "MB", commencing with "MB-1" and continuing in consecutive numbers, and each bond in the denomination of \$500 should bear a serial number on the face thereof, preceded by the letters "DB", commencing with "DB-1 and continuing in consecutive numbers.

That the issuance of the proposed \$450,000 First Mortgage Bonds, Series B, on the terms and conditions cited herein, and for the purpose stated, is not inconsistent with the public interest, and is

permitted by and is consistent with the provisions of Colorado Revised Statutes, 1953, Section 115-1-4, and should be approved.

That the proposed issuance of 1,000 shares of common stock by Applicant, to be paid as a stock dividend on Applicant's 6,000 shares of common stock now outstanding, as hereinabove set forth, is not inconsistent with the public interest, is permitted by, and is consistent with the provisions of Colorado Revised Statutes, 1953, Section 115-1-4, and should be approved.

O R D E R

THE COMMISSION ORDERS:

That Greeley Gas Company, Denver, Colorado, a Colorado corporation, be, and it is hereby, authorized to issue and sell to Peters, Writer & Christensen, Inc., its First Mortgage Bonds, Series B, due 1960-1974, in the aggregate principal amount of \$450,000, at a price equal to 95% of the aggregate principal amount, plus interest accrued through the date of each purchase.

That each bond in the denomination of \$1,000 shall bear a serial number on the face thereof preceded by the letters "MB" commencing with "MB-1" and continuing in consecutive numbers, and each bond in the denomination of \$500 shall bear a serial number on the face thereof preceded by the letters "DB", commencing with "DB-1" and continuing in consecutive numbers.

That Greeley Gas Company, Denver, Colorado, be, and it is hereby, authorized to use the proceeds derived from the sale of said bonds to:

- (1) Repay its existing indebtedness to banks; and
- (2) Add all excess proceeds (if there shall be any) to Applicant's working capital.

That the applicant shall make a verified report to the Commission not later than ninety (90) days after the issuance and de-

livery of said bonds, stating the moneys received therefrom and, stating in detail, the expenses incident to such sale, accompanying the same with copies of the entries recorded on the books of the Applicant as a result of the consummation of the financing.

That nothing herein shall be construed to imply any recommendation or guaranty of, or any obligation with respect to, said Greeley Gas Company First Mortgage Bonds, Series B, due 1960-1974, or the interest thereon, on the part of the State of Colorado.

That the Greeley Gas Company file with this Commission, as a late filed Exhibit, a final and executed copy of the Second Supplemental Indenture pertaining to the issuing of First Mortgage Bonds, Series B, due 1960-1974.

That the Greeley Gas Company, Denver, Colorado, be, and it is hereby, authorized and empowered to issue 1,000 shares of its common stock to be paid as a stock dividend on its presently issued and outstanding stock.

That the common stock authorized to be issued herein shall bear on the face thereof a serial number for proper and easy identification.

That within ninety (90) days from the issuance and delivery of the common stock authorized to be issued herein, Applicant shall make a verified report to this Commission of such serial numbers placed on such securities as are issued.

That nothing herein shall be construed to imply any recommendations or guaranty of, or any obligation with respect to, said shares of common stock to be issued by Applicant hereunder on the part of the State of Colorado.

That within ninety (90) days from the date of delivery of the common stock authorized to be issued hereunder, Applicant shall make pursuant to the terms and conditions of this Order, a verified

report to this Commission of the issuance of said common stock, the fees, commissions and expenses, if any, incident to such issuance; that such report be accompanied with a new Balance Sheet reflecting the issuance of both the First Mortgage Bonds, Series B, and the stock dividend with the journal entries reflecting the authority herein granted.

That Applicant enter in its books of account, all transactions incident to the issuance of \$450,000 First Mortgage Bonds, Series B, and all transactions pertaining to the payment of the stock dividend authorized herein, and to make and record the various accounting entries in accordance with the Uniform System of Accounts for Gas Utilities prescribed by this Commission.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph F. Nigro*  
*Joseph C. Horton*  
*Wm. E. Paulsen*  
Commissioners.

Dated at Denver, Colorado,  
this 20th day of October, 1959.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

A. I. LOCKE, DOING BUSINESS AS, )  
"COLORADO VACUUM SWEEPER COMPANY", )  
506 - 15TH STREET, DENVER 2, COLO- )  
RADO. )  
-----)

PERMIT NO. M-8351

-----  
October 29, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from A. I. Locke, doing  
business as, "Colorado Vacuum Sweeper Company", Denver 2, Colorado  
requesting that Permit No. M-8351 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8351, heretofore issued to A. I. Locke, doing  
business as, "Colorado Vacuum Sweeper Company", Denver 2, Colorado be,  
and the same is hereby, declared cancelled effective January 1, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Ralph C. Horton  
Wm. E. Zuckers  
Commissioners

Dated at Denver, Colorado,

this 29th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

LUTHER U. WHITE, DOING BUSINESS AS, )  
"WHITE'S NURSERY AND FLORIST", 234 )  
CLEVELAND STREET, MEEKER, COLORADO. )

PERMIT NO. M-8528

-----  
October 29, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Luther U. White,  
doing business as, "White's Nursery and Florist", Meeker, Colorado  
requesting that Permit No. M-8528 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8528, heretofore issued to Luther U. White, doing  
business as, "White's Nursery and Florist", Meeker, Colorado be,  
and the same is hereby, declared cancelled effective September 1, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Ralph C. Horton  
Wm. E. Zurling  
Commissioners

Dated at Denver, Colorado,

this 29th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
C. RAY ANDREWS, DOING BUSINESS AS, )  
"RAY'S CHERRY CIDER", ROUTE 3 BOX 161, )  
LONGMONT, COLORADO. )  
----- )

PERMIT NO. M-10352

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October 29, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from C. Ray Andrews,  
doing business as, "Ray's Cherry Cider", Longmont, Colorado  
requesting that Permit No. M-10352 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10352, heretofore issued to C. Ray Andrews, doing  
business as, "Ray's Cherry Cider", Longmont, Colorado be,  
and the same is hereby, declared cancelled effective October 11, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Garth C. Horton  
Wm. E. Zurling  
Commissioners

Dated at Denver, Colorado,

this 29th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

EDWARD S. PAINE, DOING BUSINESS AS, )  
"EDDIE'S BODY SHOP", BYERS, COLO- )  
RADO. )  
----- )

PERMIT NO. M-11769

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October 29, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Edward S. Paine,  
dba "Eddie's Body Shop", Byers, Colorado  
requesting that Permit No. M-11769 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11769, heretofore issued to Edward S. Paine,  
dba "Eddie's Body Shop", Byers, Colorado be,  
and the same is hereby, declared cancelled effective December 31, 1958.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Ralph C. Horton  
Henry E. Zerkow  
Commissioners

Dated at Denver, Colorado,

this 29th day of October, 1959.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
J. B. BROWN, SYRACUSE, KANSAS. )  
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----- )

PERMIT NO. M-12042

-----  
October 29, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from J. B. Brown,  
Syracuse, Kansas  
requesting that Permit No. M-12042 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12042, heretofore issued to J. B. Brown,  
Syracuse, Kansas be,  
and the same is hereby, declared cancelled effective October 22, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph J. Negro  
Ralph C. Nelson  
Henry E. Zaulings  
Commissioners

Dated at Denver, Colorado,

this 29th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

FRANK P. LOBATO, P. O. BOX 128,  
FORT GARLAND, COLORADO.

PERMIT NO. M-15677

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October 29, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Frank P. Lobato,  
Fort Garland, Colorado  
requesting that Permit No. M-15677 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15677, heretofore issued to Frank P. Lobato,  
Fort Garland, Colorado be,  
and the same is hereby, declared cancelled effective September 15, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Joseph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 29th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
GARLAND C. GAINES, 1807 ELM AVENUE, )  
CANON CITY, COLORADO. )  
\_\_\_\_\_ )

PERMIT NO. M-2012

\_\_\_\_\_  
October 29, 1959  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Garland C. Gaines,  
Canon City, Colorado  
requesting that Permit No. M-2012 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2012, heretofore issued to Garland C. Gaines,  
Canon City, Colorado be,  
and the same is hereby, declared cancelled effective October 25, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Garland C. Horton  
Henry E. Zwick  
Commissioners

Dated at Denver, Colorado,

this 29th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

ROY ORTEGA, 420 1/4 WEST NORTHERN,  
PUEBLO, COLORADO.

PERMIT NO. M-5507

-----  
October 29, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Roy Ortega,  
Pueblo, Colorado  
requesting that Permit No. M-5507 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5507, heretofore issued to Roy Ortega,  
Pueblo, Colorado be,  
and the same is hereby, declared cancelled effective October 15, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Henry E. Zuckerman  
Commissioners

Dated at Denver, Colorado,

this 29th day of October, 1959.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
CHARLES ILFELD COMPANY, 137 CEDAR )  
STREET, TRINIDAD, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. M-2554

-----  
October 29, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles Ilfeld Company,  
Trinidad, Colorado  
requesting that Permit No. M-2554 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2554, heretofore issued to Charles Ilfeld Company,  
Trinidad, Colorado be,  
and the same is hereby, declared cancelled effective October 1, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Ralph C. Norton  
Henry E. Paulings  
Commissioners

Dated at Denver, Colorado,

this 29th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
HARLEN E. SMITH, DOING BUSINESS AS, )  
"PUEBLO CHEMICAL COMPANY", 1219 EAST )  
11TH STREET, PUEBLO, COLORADO. )  
----- )

PERMIT NO. M-4827

-----  
October 29, 1959  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Harlen E. Smith,  
doing business as, "Pueblo Chemical Company", Pueblo, Colorado  
requesting that Permit No. M-4827 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4827, heretofore issued to Harlen E. Smith, doing  
business as, "Pueblo Chemical Company", Pueblo, Colorado be,  
and the same is hereby, declared cancelled effective September 1, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Henry E. Zurling  
Commissioners

Dated at Denver, Colorado,

this 29th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
T. W. GRONEWALD, DOING BUSINESS AS, )  
"GRONE DISTRIBUTING COMPANY", 2536 )  
RACE STREET, DENVER 5, COLORADO. )  
----- )

PERMIT NO. M-2518

-----  
October 29, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from T. W. Gronewald, doing  
business as, "Grone Distributing Company", Denver 5, Colorado  
requesting that Permit No. M-2518 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2518, heretofore issued to T. W. Gronewald, doing  
business as, "Grone Distributing Company", Denver 5, Colorado be,  
and the same is hereby, declared cancelled effective September 30, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Joseph C. Horton  
Henry E. Zurling  
Commissioners

Dated at Denver, Colorado,

this 29th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ROY W. PURDY, DOING BUSINESS AS, )  
"PURDY FURNITURE COMPANY", 113 SANTA )  
FE, LA JUNTA, COLORADO. )  
----- )

PERMIT NO. M-2423

-----  
October 29, 1959  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Roy W. Purdy, doing  
business as, "Purdy Furniture Company", La Junta Colorado  
requesting that Permit No. M-2423 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2423, heretofore issued to Roy W. Purdy, doing  
business as, "Purdy Furniture Company", La Junta, Colorado be,  
and the same is hereby, declared cancelled effective October 19, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Robert C. Horton  
Henry E. Ziegler  
Commissioners

Dated at Denver, Colorado,

this 29th day of October, 1959.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CLYDE R. GANN, 1334 EDGEWOOD )  
DRIVE, LAKE LAND, FLORIDA. )

PUC NO. 3755-I

October 29, 1959

# STATEMENT

By the Commission:

The Commission is in receipt of a communication from Clyde R. Gann.

Lakeland, Florida

requesting that Certificate of Public Convenience and Necessity No. 3755-I

be cancelled.

## F I N D I N G S

**THE COMMISSION FINDS:**

That the request should be granted.

## ORDER

**THE COMMISSION ORDERS:**

That Certificate No. 3755-I heretofore issued to Clyde R. Gann,

Lakeland, Florida

be, and the same is hereby, declared cancelled effective October 16, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Frank C. Boston  
Henry E. Zaulings  
Commissioners

Dated at Denver, Colorado,  
this 29th day of October, 1959.

# hc

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
W. C. MIZAR AND DON L. NEALLEY, DOING )  
BUSINESS AS, "SAN ISABEL LUMBER )  
COMPANY", RYE, COLORADO. )  
----- )

PERMIT NO. M-2395

-----  
October 29, 1959  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from W. C. Mizar and Don  
L. Nealley, dba "San Isabel Lumber Company", Rye, Colorado  
requesting that Permit No. M-2395 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2395, heretofore issued to W. C. Mizar and Don L.  
Nealley, dba "San Isabel Lumber Company", Rye, Colorado be,  
and the same is hereby, declared cancelled effective October 19, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Frank C. Gordon  
Henry E. Zaulings  
Commissioners

Dated at Denver, Colorado,

this 29th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

W. C. MIZAR AND DON L. NEALLEY, DOING)  
BUSINESS AS, "SAN ISABEL LUMBER  
COMPANY", RYE, COLORADO )

PERMIT NO. B-5755

October 29, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from W. C. Mizar and Don  
L. Nealley, dba "San Isabel Lumber Company", Rye, Colorado  
requesting that Permit No. B-5755 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5755, heretofore issued to W. C. Mizar and Don L.  
Nealley, dba "San Isabel Lumber Company", Rye, Colorado be,  
and the same is hereby, declared cancelled effective October 19, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Frank C. Horton  
Henry E. Zalkow  
Commissioners

Dated at Denver, Colorado,

this 29th day of October, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
DAN DRIETH, 6821 WARREN DRIVE, )  
DENVER 21, COLORADO )  
-----

PERMIT NO. B-3082

-----  
October 29, 1959  
-----

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-3082 be further suspended for six months from October 14, 1959.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Dan Drieth, Denver, Colorado, be, and he is hereby, authorized to further suspend his operations under Permit No. B-3082 until April 14, 1960.

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 permits, said permit, without further action by the Commission, shall be reboked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph J. Negro  
Frank C. Nelson  
Henry E. Zalusky  
Commissioners

Dated at Denver, Colorado,  
this 29th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JACK ARNOLD, C/O MRS. LINN M. )  
ARNOLD, ADMINISTRATRIX, 6980 )  
MAGNOLIA STREET, DERBY, COLO- )  
RADO. )  
-----

PERMIT NO. B-4051

-----  
October 29, 1959  
-----

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-4051 be further suspended for six months from November 3, 1959.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Jack Arnold, Derby, Colorado, be, and he is hereby, authorized to further suspend his operations under Permit No. B-4051 until May 3, 1960.

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 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

Joseph F. Nigro  
Frank C. Norton  
Henry E. Zurlings  
Commissioners

Dated at Denver, Colorado,  
this 29th day of October, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
E. D. KISNER, 1430 SOUTH NAVAJO )  
STREET, DENVER 23, COLORADO. )  
-----

PUC NO. 3690

-----  
October 29, 1959  
-----

S T A T E M E N T

By the Commission:

On April 27, 1959, the Commission authorized E. D. Kisner to suspend operations under PUC No. 3690, until October 20, 1959.

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

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate of Public Convenience and Necessity PUC No. 3690 should be, and the same hereby is, reinstated as of October 19, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph F. Negro*  
*Joseph C. Holton*  
*Henry E. Zepher*  
Commissioners

Dated at Denver, Colorado,  
this 29th day of October, 1959.

original

(Decision No. 53256)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JIM DURAN, CENTER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A ) APPLICATION NO. 17330-PP  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----

-----  
October 20, 1959  
-----

Appearances: Richard E. Conour, Esq., Del  
Norte, Colorado, for Appli-  
cant.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission, at the Court House, Del Norte, Colorado, September 9, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 4, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of the Examiner states that at the time and place designated for hearing, Attorney for Applicant herein requested continuance of said application, in order that applicant may be allowed time within which to file an amended application.

Report of the Examiner recommends that said matter be continued, as requested by Attorney for Applicant herein.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part

of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That the above-styled application should be continued, to be re-set for hearing at a later date, with notice to all parties in interest.

O R D E R


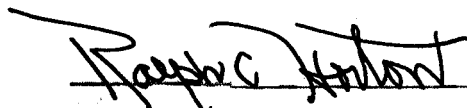

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

That Application No. 17330-PP be, and the same hereby is, continued, to be later re-set for hearing before the Commission, with notice to all parties in interest.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

CHAIRMAN JOSEPH F. NIGRO  
NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 20th day of October, 1959.

mls



original

(Decision No. 53257)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF CHICAGO, BURLINGTON )  
& QUINCY RAILROAD COMPANY'S DIS- )  
MANTLING AND ABANDONING SPUR TRACKAGE )  
AT TROWEL RANCH, MORGAN COUNTY, COLO- )  
RADO, AND REMOVING NON-AGENCY STATION )  
AT SAID PLACE FROM STATION LIST. )  
-----

APPLICATION NO. 17261

-----  
October 27, 1959  
-----

S T A T E M E N T

By the Commission:

Pursuant to the Rules and Regulations of this Commission Pertaining to Railroads and Express Companies Operating in the State of Colorado, Chicago, Burlington and Quincy Railroad Company, by its Attorneys, did, on July 16, 1959, file its petition requesting authority to retire and remove certain trackage and stockyard pens known as "Trowel Ranch" in Morgan County, Colorado, said removals to be effective within thirty days, or on August 15, 1959.

Trowel Ranch is located at Mile Post 140.52 on Applicant's Brush to Sterling line, being also some nine miles northeasterly from Brush, Colorado.

According to the instant application, Trowel Ranch has been a non-agency station for the handling of livestock shipments in connection with the company-owned stockyard pens that have been maintained at that point. In the past five years, shipments have only amounted to 13 cars of livestock with no shipments in the past two years. After careful investigation by the railroad and inquiry among its shippers, it appears there is no indication of a future need for the track, and request is made to remove and salvage the non-perishable track materials for more advantageous use elsewhere and to also eliminate the mainte-

nance expense involved with the track and switches and the further expense and hazards of weeds and fire control at the stockyards.

Upon investigation of this matter by the Commission, and with reference to the white-print map as attached to the instant application, it is noted that the Trowel Ranch trackage is some 858 feet in length, providing a track to safely accommodate eight cars. Other investigation reveals the following facilities as noted near Trowel Ranch:

<u>Mile Post</u>	<u>Station</u>	<u>Trackage</u>	<u>Capacity</u>
149.87	Brush	Switching yards & Terminal	360 cars
142.60	Hillrose	Siding & Stockyard	108 cars
141.29	Giese	Beet spur	21 cars
<u>140.52</u>	<u>Trowel Ranch</u>	<u>Siding &amp; Stockyard</u>	<u>8 cars</u>

Principal occupation in the area is livestock feeding, sugar beet raising and irrigated farming. There are no additional facilities at Trowel Ranch other than the stockyards which are now in a poor state of repair because of non-use.

Other investigation has revealed that land sales in the area offered the possibility of new shippers; however, current livestock marketing practice is to load at the main-line yards in Brush, where more extensive sales, water and feeding facilities are also available. In this manner, it is also possible to secure direct rail service to either Denver on the west or to the eastern markets.

It appears in this case that there are ample rail facilities to meet the public needs of the region, and the past intervals of non-use can therefore leave no justification for the continued maintenance of the instant trackage and stockpens.

As a matter of public information, a notice of the proposed removals was posted in a conspicuous location at Trowel Ranch on July 13, 1959, wherein it was indicated that any protests to the proposal should be forwarded to the Commission.

No protests having been submitted and none appearing in the

files of this matter, the Commission determined to hear, and has heard, said matter forthwith, without further notice, upon the records and files herein.

### F I N D I N G S

#### THE COMMISSION FINDS:

That public convenience and necessity in the Trowel Ranch area can and is being adequately served by other existing stations and track facilities.

That insufficient public demand or usage now exists to properly justify continued operation and maintenance of the siding track and stockpens now located at Trowel Ranch, Colorado.

That the authority sought in the instant application should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That the above Statement and Findings be made a part hereof.

That the Chicago, Burlington and Quincy Railroad Company, Denver, Colorado, be, and it hereby is, authorized to discontinue the non-agency station at Trowel Ranch, Colorado.

That reference shall be made to this decision in the affected tariffs as required to show the closing of the station and as authority for said action.

That authority is hereby granted to Chicago, Burlington and Quincy Railroad Company, Denver, Colorado, to remove the stockyards and to dismantle, abandon, and take up the siding track at Mile Post 140.52, located at Trowel Ranch, Morgan County, Colorado, and this Order shall taken, deemed and held to be a certificate of public convenience and necessity therefor.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph F. Regier*  
*Ralph C. Norton*  
*Harry E. Culley*  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of October, 1959.  
mls

original

(Decision No. 53258)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
UNION RURAL ELECTRIC ASSOCIATION, )	
INC., BRIGHTON, COLORADO, FOR AUTH- )	
ORITY TO EXTEND FACILITIES IN THE )	
SOUTHWEST QUARTER OF SECTION 12, )	APPLICATION NO. 17408-Extension
TOWNSHIP 1-SOUTH, RANGE 68-WEST. )	
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-----  
October 27, 1959  
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S T A T E M E N T

By the Commission:

On September 28, 1959, Union Rural Electric Association, Inc., Brighton, Colorado, filed an application with this Commission for authority to extend its facilities to render electric service to George C. Bydalek, at a location in the Southwest Quarter of Section 12, Township 1-South, Range 68-West, which extension will involve the construction of approximately 1,320 feet of primary line at an estimated cost of \$1,317.60.

This application was filed pursuant to the Commission's Order in Application No. 13576, Case No. 5108, Decision No. 47074, of January 7, 1957, which set forth the procedure for obtaining authority to extend facilities distances exceeding 300 feet in length. Applicant has elected by the instant application plan (b) of said Order, which provides for the Commission to issue the authority without a hearing if it so decides, and if there are no protests.

The Commission has examined the record and files herein, and believes that this matter is one which can be decided without a formal hearing, and being fully informed in the matter, will issue its Order granting the construction as requested. The Commission has received a letter from the Public Service Company of Colorado, dated October 6,

1959, and a letter from the Colorado Central Power Company, dated October 2, 1959, both of said letters stating, in effect, that the respective companies have no objection to the granting of the authority sought by the instant application.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the Commission is fully advised in the premises.

That the Applicant has complied with the Commission's Order in Decision No. 47074, previously referred to, and there being no objection by interested parties, the authority as requested should be issued without hearing.

That public convenience and necessity require the rendering of electric service to George C. Bydalek, at a location in the Southwest Quarter of Section 12, Township 1-South, Range 68-West; and that Union Rural Electric Association, Inc., Brighton, Colorado, should be authorized to render said service.

### O R D E R

#### THE COMMISSION ORDERS:

That Union Rural Electric Association, Inc., Brighton, Colorado, be, and it hereby is, granted a certificate of public convenience and necessity, to extend its facilities to render electric service to George C. Bydalek, at a location in the Southwest Quarter of Section 12, Township 1-South, Range 68-West; all in accordance with the application for electric service signed by and between the parties, a copy of which was filed with the Commission in the instant matter, and which, by reference, is made a part hereof.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph F. Higgins*  
*Robert C. Horton*  
*Henry J. Paulsen*  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of October, 1959.  
mls

original

(Decision No. 53259)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HENRY W. JONES, SR., 2937 GLENARM )  
PLACE, DENVER, COLORADO, FOR AUTH- )  
ORITY TO TRANSFER PUC NO. 3923 TO )  
LAWRENCE DONATO, DOING BUSINESS AS )  
"DONATO'S EXPRESS," 3360 COLUMBINE )  
STREET, DENVER, COLORADO. )

APPLICATION NO. 17302-Transfer

-----  
October 27, 1959  
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S T A T E M E N T

By the Commission:

By the above-styled application, authority is sought to transfer PUC No. 3923 from Henry W. Jones, Sr., Denver, Colorado, to Lawrence Donato, doing business as "Donato's Express," Denver, Colorado.

Said application was regularly set for hearing before the Commission on September 2, 1959, at 10:00 o'clock A. M., at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, due notice thereof being forwarded to all parties in interest.

On August 31, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of said Examiner states that at the time and place designated for hearing, applicants failed to appear, either in person or by counsel.

Report of the Examiner recommends that said matter be continued, to be later re-set for hearing before the Commission, with notice to all parties in interest.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That the above-styled application should be continued, to be later re-set for hearing, with notice to all parties in interest.

O R D E R


THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above Findings be, and the same hereby is, approved.

That Application No. 17302 be, and the same hereby is, continued, said matter to be later re-set for hearing before the Commission, with notice to all parties in interest.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Joseph F. Nigro  
Robert C. Hobart  
Henry E. Paulsen  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of October, 1959.

mls

original

(Decision No. 53260)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
SOUTHERN UNION GAS COMPANY, 1100 )  
BURT BUILDING, DALLAS, TEXAS, AND )  
DURANGO, COLORADO, FOR AUTHORITY TO )  
ISSUE AND SELL TO ONE OR MORE COM- )  
MERCIAL BANKS, PETITIONER'S PROMIS- )  
ORY NOTE, OR NOTES, IN THE AGGRE- )  
GATE PRINCIPAL AMOUNT OF \$5,000,000, )  
BEARING INTEREST AT A RATE OF NOT )  
MORE THAN 1/4 OF 1% PER ANNUM ABOVE )  
THE PRIME BANK INTEREST RATE IN )  
EFFECT AS OF THE DATE OF ISSUE OF )  
SUCH NOTES, RESPECTIVELY, (NO MORE )  
THAN \$5,000,000 PRINCIPAL AMOUNT OF )  
SUCH NOTES TO BE OUTSTANDING AT ANY )  
ONE TIME), AND MATURING ON THE SAME )  
DATE ON OR ABOUT 24 MONTHS AFTER THE )  
ISSUE DATE OF THE FIRST OF SUCH )  
NOTES. )

APPLICATION NO. 17393-Securities

-----  
October 27, 1959  
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Appearances: Willis L. Lea, Jr., Esq.,  
Dallas, Texas, and  
Barry, Dawkins & Boyle,  
Esqs., Denver, Colorado,  
for Applicant;  
J. M. McNulty, Denver, Colo-  
rado, and  
E. R. Thompson, Denver, Colo-  
rado, for the Commission.

S T A T E M E N T

By the Commission:

This application was filed October 7, 1959, and set for hearing on October 26, 1959, at 11:00 o'clock A. M., at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, and at that time and place was heard and taken under advisement by the Commission.

Southern Union Gas Company, the Applicant herein, seeks authority of the Commission to issue and deliver to commercial banks the



Applicant's promissory notes in aggregate principal amount of not to exceed Five Million Dollars (\$5,000,000) at any one time outstanding, to be issued at various times over the next several months, maturing on or before twenty-four (24) months from the date of the first such note and bearing interest at a rate of  $1\frac{1}{4}$  of 1% per annum above the prime bank interest rate prevailing at the time of their respective issuance.

Applicant is a corporation organized under the laws of Delaware, and is lawfully transacting a public utility business in the State of Colorado, owning and operating a gas transportation system in La Plata County, and a gas distribution system serving Durango and vicinity. It is also extensively engaged in the operation of natural gas properties located in Texas, New Mexico and Arizona. The percentage of natural gas plant and other physical property located in Colorado in relation to that of the total Company was 3.66% as of December 31, 1958. This percentage applied to the new debt authorized in the Order to follow herein is the basis for determining the fee for the issuance of this Order.

The evidence shows that Applicant's notes will be issued on regular bank note forms to payee banks which have participated in Applicant's bank financing of the same character over a period of years, namely, The Northern Trust Company, Chicago, Illinois; First National Bank in Dallas, Dallas, Texas; Republic National Bank of Dallas, Dallas, Texas; and Mercantile National Bank at Dallas, Dallas, Texas. Said notes will be payable in advance of their maturity at Applicant's election in the event that it proceeds as presently intended to issue permanent securities at a later time and to use the proceeds thereof, in whole or in part, for retirement of the notes.

The proceeds from issuance and delivery of the proposed bank notes will be initially added to the Applicant's general funds and later expended for the acquisition of property or the construction, completion,

extension or improvement of the Applicant's facilities and service, both in Colorado and in the other states in which the Applicant is now operating, and in reimbursement of its treasury for a portion of the moneys actually expended for the same purposes from income of the Applicant or from other moneys in its treasury not secured by or obtained from the issue, assumption or guarantee of securities within five years prior to the filing of the application herein.

Applicant's capital structure is as follows:

	<u>June 30, 1959</u>	<u>% of Total</u>	<u>Pro-forma after issue of \$5,000,000 in Bank Notes</u>	<u>% of Total</u>
<u>EQUITY CAPITAL</u>				
Preferred Stock	\$19,872,100.00	20.44	\$ 19,872,100.00	19.44
Second Preferred Stock	11,068,275.00	11.38	11,068,275.00	10.82
Common Stock & Surplus	<u>29,994,073.38</u>	<u>30.84</u>	<u>29,994,073.38</u>	<u>29.33</u>
Total Equity Capital	\$60,934,448.38	62.66	\$ 60,934,448.38	59.59
<u>LONG TERM DEBT</u>	<u>36,313,488.49</u>	<u>37.34</u>	<u>41,313,488.49</u>	<u>40.41</u>
<u>TOTAL CAPITAL STRUCTURE</u>	<u>\$97,247,936.87</u>	<u>100.00</u>	<u>\$102,247,936.87</u>	<u>100.00</u>

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

After careful consideration of the evidence adduced, and of the files, records and proceedings herein, the Commission is of the opinion, and finds:

That the Commission has jurisdiction over and with respect to Southern Union Gas Company, in certain of its operations, and that its interests and the interests of its consumers will not be adversely affected by the proposed transactions, or any of them; that the proposed transactions, and the purposes for which the securities referred to are to be issued, are consistent with and permitted by the provisions of the 1953 Colorado Revised Statutes, 115-1-4, and are consistent with the public interest; and that the application to be made of such securities, or

the proceeds thereof, is permitted by applicable laws of Colorado.

That the foregoing Statement is made a part of these Findings herein, and by reference, is incorporated in these Findings.

O R D E R

THE COMMISSION ORDERS:

To the full extent that approval, authorization or permission are required by the laws of Colorado, Southern Union Gas Company be, and it hereby is, authorized to issue, deliver and sell for cash at par up to but not exceeding \$5,000,000 in principal amount of its promissory notes in regular commercial bank form, at various times over the next several months, the same to be due and payable on or before 24 months from and after the date borne by the first such note, bearing interest at  $1/4$  of 1% per annum above the prime bank interest rate prevailing at the time of their issuance, respectively, and the Applicant is also authorized to apply the proceeds from issue and sale of such notes in the manner specified in the Statement herein.

That Southern Union Gas Company be, and it is hereby, authorized to take such further steps and actions as may, in conformity with applicable law and regulations, be necessary, incident, or appropriate to the full accomplishment of the transactions, or any of them, hereinabove approved and authorized.

That within thirty (30) days from and after the issuance of each of its Promissory Notes as herein authorized, Southern Union Gas Company shall file with the Commission its report showing consummation of such transaction, and the date, interest rate and principal amount of such note.


That each of the Promissory Notes issued by Applicant hereunder shall be identified by a legend appearing thereon: "Colo. PUC No. 17393."

That nothing herein shall be construed to imply any recom-

mendations or guaranty of, or any obligation with respect to, any of the aforesaid securities or the payments of interest thereon, on the part of the State of Colorado.

Authority herein granted shall be effective and exercisable from and after this date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Joseph F. Nigro  
Ralph O. Hobart  
Harry E. Paulings  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of October, 1959.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
J. D. WRIGHT, SR., AND J. D. WRIGHT, )  
JR., DOING BUSINESS AS "J. D. )  
WRIGHT & SON," 199 STARKWEATHER )  
STREET, PAMPA, TEXAS. )  
-----

PUC 1766-I  
CASE NO. 90804-INS.

-----  
October 28, 1959  
-----

S T A T E M E N T

By the Commission:

On September 15, 1959, the Commission entered its Order in Case No. 90804-Ins., revoking PUC No. 1766-I for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made with the Commission by said Respondent, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That PUC No. 1766-I be, and the same hereby is, reinstated, as of September 15, 1959, revocation order entered by the Commission on said date in Case No. 90804-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph J. Nigro*  
*Ralph C. Hobson*  
*James E. Paulsen*  
Commissioners

Dated at Denver, Colorado,  
this 28th day of October, 1959.

original

(Decision No. 53262)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
SAN ISABEL ELECTRIC ASSOCIATION, )  
INC., 316 WEST 15TH STREET, PUEBLO, )  
COLORADO, A COLORADO CORPORATION, )  
FOR AN ORDER AUTHORIZING IT TO ENTER )  
INTO EXTENSION AGREEMENTS WITH THE )  
RURAL ELECTRIFICATION ADMINISTRATION )  
AS TO LOANS PREVIOUSLY AUTHORIZED )  
FROM SAID ADMINISTRATION IN THE SUMS )  
OF \$780,000 AND \$89,788.65 RESPEC- )  
TIVELY. )  
-----

APPLICATION NO. 15812-Securities  
SUPPLEMENTAL ORDER

-----  
October 28, 1959  
-----

Appearances: Leo S. Altman, Esq., Pueblo,  
Colorado, for Applicant;  
Robert F. Welborn, Esq., Den-  
ver, Colorado, for the Colo-  
rado Fuel and Iron Corpora-  
tion, Pueblo, Colorado;  
J. M. McNulty, Denver, Colo-  
rado, and  
E. R. Thompson, Denver, Colo-  
rado, for the Commission.

S T A T E M E N T

By the Commission:

On October 21, 1959, San Isabel Electric Association, Inc.,  
filed with this Commission an application for authority to modify two  
of its loan agreements with the United States of America pertaining to  
the REA project designations, "Colorado 25 S Pueblo," in the principal  
amount of \$780,000, dated November 1, 1955, and "Colorado 25 TAL Pueblo,"  
in the principal amount of \$89,788.65, dated November 2, 1955. These  
loans were authorized and approved by this Commission in its Decision  
and Order No. 44551, Application No. 13592-Securities, August 30, 1955.

On October 11, 1957, Applicant sought the approval of exten-  
sion agreements for these same two notes and on November 8, 1957, the

Commission, by its Decision and Order No. 49053, Application No. 15812-Securities, approved such agreements.

Applicant has not yet drawn down monies on these respective notes, and it seeks to renew the loans as of the dates of the proposed extension agreements, i.e., November 5, 1959, and November 6, 1959, respectively. We understand that the provisions of the notes, as applied in the beginning, will, in effect, be moved later in time to the date of these proposed agreements, and thence, will apply in the same manner to the payment of interest and repayment of the principal amount over thirty-five years from these dates.

In view of the fact that this Commission has previously authorized and approved the borrowing evidenced by these two notes, and that Applicant asks for no changes in the provisions thereof, other than move the period of the notes to later dates, we see no need for public hearing on this matter, and therefore, in the Order to follow, will authorize and approve the agreements between the United States of America and San Isabel Electric Association, Inc., pertaining to REA project designations "Colorado 25 S Pueblo" and "Colorado 25 TAL Pueblo," respectively, dated as of November 5, 1959, and November 6, 1959.

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

##### THE COMMISSION FINDS:

After careful consideration of this supplemental application of San Isabel Electric Association, Inc., Pueblo, Colorado, and of the data and records on file with this Commission pertaining hereto, the Commission is of the opinion that the agreements subject herein should be authorized and approved.

That this Commission has jurisdiction of San Isabel Electric Association, Inc., as defined in Chapter 115-1-4, Colorado Revised Statutes, 1953.

That this Commission has retained jurisdiction of these proceedings to the end that it may make further Order or Orders in the

premises as it may deem proper and desirable.

That the above and foregoing Statement is incorporated in these Findings by reference.

That the agreements between San Isabel Electric Association, Inc., and the United States of America, dated November 5, 1959, and November 6, 1959, referred to above and filed with this Commission, October 21, 1959, are not inconsistent with the public interest.

O R D E R

THE COMMISSION ORDERS:

That the agreements between San Isabel Electric Association, Inc., Pueblo, Colorado, and the United States of America, dated as of November 5, 1959, and November 6, 1959, and entitled REA project designations "Colorado 25 S Pueblo" (\$780,000) and "Colorado 25 TAL Pueblo" (\$89,788.65), as set forth fully in the copies of the agreements attached to the Supplemental Application No. 15812, Securities-Supplemental, be, and the same are hereby, authorized and approved.

That San Isabel Electric Association, Inc., Pueblo, Colorado, within one-hundred and twenty (120) days of the date hereof or date of execution, shall file with this Commission conformed copies of the executed agreements authorized and approved herein.

That nothing herein contained shall be construed to imply any recommendations or guaranty of, or any obligations with respect to, said securities on the part of the State of Colorado.

That in all other respects the Decision and Order No. 44551, Application No. 15592-Securities shall remain in full force and effect.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph F. McGuire*  
*Robert C. Holton*  
*Harry E. Paulding*  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of October, 1959.

mls



original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ANTONIO H. HELTON, 1608 EAST 32ND )  
AVENUE, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----

APPLICATION NO. 17306-PP

-----  
October 28, 1959  
-----

Appearances: Antonio H. Helton, Denver,  
Colorado, pro se;  
Robert E. McLean, Esq.,  
Denver, Colorado, for  
Associated Rubbish Re-  
moval Association.

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 ashes and trash in the City and County of Denver, Colorado, for the following customers, only: Mrs. E. C. Viner, 919 South Garfield Street, Denver, Colorado; Viner Chevrolet, 455 Broadway, Denver, Colorado; and Mr. Worthman, 525 Bannock Street, Denver, Colorado.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 2, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 31, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of said Examiner states that at the time and place designated for hearing, upon motion of applicant and consent of pro-

testant's Attorney, it was moved that the instant application be continued, to be later re-set for hearing.

Report of said Examiner recommends that said matter be continued, to be later re-set for hearing, with notice to all parties in interest.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That the above-styled application should be continued, to be later re-set for hearing before the Commission, with notice to all parties in interest.

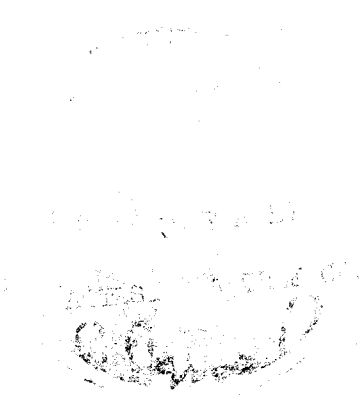
### O R D E R

#### THE COMMISSION ORDERS:

That Application No. 17306-PP be, and the same hereby is, continued, to be later re-set for hearing, with notice to all parties in interest.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Joseph F. Nigro  
Joseph C. Horton  
James E. McLaughlin  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of October, 1959.

mls

original

(Decision No. 53264)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
AL LE DOUX, 126 ELATI STREET, DEN- )  
VER, COLORADO, FOR A CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY TO )  
OPERATE AS A COMMON CARRIER BY MOTOR )  
VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 17303

-----  
October 28, 1959  
-----

Appearances: Al LeDoux, Denver, Colorado,  
                  pro se;  
                  Robert E. McLean, Esq., Den-  
                  ver, Colorado, for Asso-  
                  ciated Rubbish Removal  
                  Association.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 2, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 31, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of said Examiner states that at the time and place designated for hearing, upon motion of applicant, and consent of protestant's Attorney, it was moved that said application be continued.

Report of the Examiner recommends that said matter be continued, to be later re-set for hearing before the Commission, with notice to all parties in interest.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That the above-styled application should be continued, to be later re-set for hearing before the Commission, with notice to all parties in interest.

O R D E R

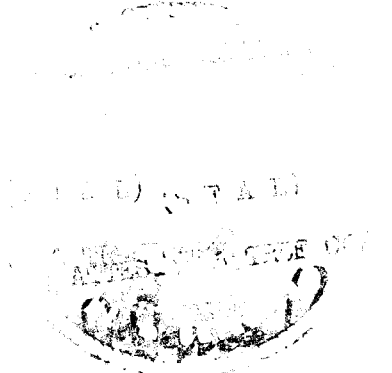
THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above Findings be, and the same hereby is, approved.

That Application No. 17303 be, and the same hereby is, continued, to be later re-set for hearing before the Commission, with notice to all parties in interest.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
*Joseph F. Nigro*  
*Raymond C. Horton*  
*Paul J. Sullivan*  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of October, 1959.

mls

original

(Decision No. 53265)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FORT COLLINS TRANSIT, INC., c/o HILL )  
AND COYTE, ESQS., WOOLWORTH BUILDING, )  
FORT COLLINS, COLORADO, FOR A CERTIF- )  
ICATE OF PUBLIC CONVENIENCE AND NE- )  
CESSITY. )  
-----

APPLICATION NO. 14364

-----  
October 28, 1959  
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Appearances: Hill and Coyte, Fort Collins,  
Colorado, for Applicant.

S T A T E M E N T

By the Commission:

Heretofore, the above-styled applicant filed application with the Commission, seeking a certificate of public convenience and necessity, authorizing transportation of passengers within the City of Fort Collins, Colorado, and any point between the City of Fort Collins, Colorado, and points in a radius of five miles of the City of Fort Collins, all in the State of Colorado.

Said application was, on numerous occasions, set for hearing before the Commission, with notice to all parties in interest, but each setting was vacated by the Commission, upon request of Attorneys for Applicant.

In the interim, applicant herein was authorized, by Temporary Authority issued by this Commission, to carry on the transportation services herein sought.

The Commission is now in receipt of a communication from said applicant, stating said operation has proven unprofitable, advising that applicant herein no longer desires to prosecute the above-styled application, and requesting dismissal thereof.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

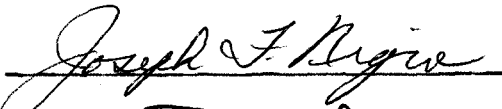
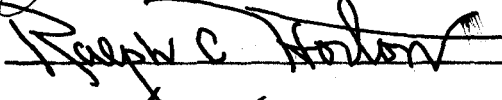

O R D E R

THE COMMISSION ORDERS:

That Application No. 14364 be, and the same hereby is, dismissed, upon request of Applicant herein.

This Order shall become effective November 1, 1959, being the date Applicant herein proposes to cease operations within the City of Fort Collins, Colorado.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of October, 1959.

mls

original

(Decision No. 53266)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROCKY MOUNTAIN MOBILE HOME TOW- )  
ING SERVICE, INC., 621 SOUTH ) PUC NO. 3016  
PERRY STREET, DENVER 19, COLO- )  
RADO. )  
-----

-----  
October 28, 1959  
-----

Appearances: Jay E. Lutz, Esq., Denver,  
Colorado, for Rocky Moun-  
tain Mobile Home Towing  
Service, Inc.

S T A T E M E N T

By the Commission:

Rocky Mountain Mobile Home Towing Service, Inc., Denver, Colo-  
rado, herein seeks authority to mortgage PUC No. 3016, owned and oper-  
ated by it, to Floyd Hetzel, Denver, Colorado, to secure payment of the  
sum of Three Thousand Dollars (\$3,000.00), in accordance with the terms  
and conditions set forth in Chattel Mortgage, of date September 21, 1959,  
executed by said Rocky Mountain Mobile Home Towing Service, Inc., pay-  
able to said Floyd Hetzel, said Mortgage, by reference, being made a part  
hereof.

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 Rocky Mountain Mobile Home Towing Service, Inc., Denver,  
Colorado, be, and hereby is, authorized to mortgage all right, title,  
and interest in and to PUC No. 3016 to Floyd Hetzel, Denver, Colorado,

to secure payment of the sum of \$3,000.00, as set forth in the Statement preceding, which is made a part of this Order, by reference.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph A. Nigro  
Joseph C. Horton  
Henry E. Feltz  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of October, 1959.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HAROLD E. TINSLEY, DOING BUSINESS )  
AS "TINSLEY MILK LINE," 2623 EAST )  
MONUMENT, COLORADO SPRINGS, COLORADO, ) APPLICATION NO. 17442-Mortgage  
FOR AUTHORITY TO MORTGAGE PUC NO. )  
1570 TO THE CENTRAL COLORADO BANK, )  
COLORADO SPRINGS, COLORADO. )  
-----

-----  
October 29, 1959  
-----

S T A T E M E N T

By the Commission:

By the above-styled application, Harold E. Tinsley, doing business as "Tinsley Milk Line," Colorado Springs, Colorado, owner and operator of PUC No. 1570, seeks authority to mortgage said PUC No. 1570 to The Central Colorado Bank, Colorado Springs, Colorado, to secure payment of the sum of \$8,580.96, in accordance with terms and conditions set forth in Chattel Mortgage, of date October 9, 1959, executed by said Harold E. Tinsley, payable to The Central Colorado Bank, said Mortgage, by reference, being made a part hereof.

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 Harold E. Tinsley, doing business as "Tinsley Milk Line," Colorado Springs, Colorado, be, and he hereby is, authorized to mortgage all his right, title, and interest in and to PUC No. 1570 to The Central Colorado Bank, Colorado Springs, Colorado, to secure payment of the sum of \$8,580.96, as set forth in the Statement preceding, which is made a

part of this Order, by reference.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Rizzo  
Ralph C. Holton  
Alvin G. Zullinger  
Commissioners.

Dated at Denver, Colorado,  
this 20th day of October, 1959.

mls

original

\* \* \*

APPLICATION NO. 17304-Extension

400 400 400 400 400 400 400 400 400

S T A T E M E N T

ashes, trash, and other refuse, between points in the City and County of Denver, and from points in the City and County of Denver, to regularly-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

By the instant application, said certificate-holder seeks authority to extend operations under said PUC No. 3291, to include the right to transport ashes and trash in an area in Jefferson County, Colorado, bounded as follows: Clear Creek on the north, Kipling Street on the west; West Sixth Avenue on the south, and Sheridan Boulevard on

the east, consisting of approximately forty square blocks.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 2, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 31, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant appeared in support of his application, testifying, in general, that he is the owner of PUC No. 3291, and has been actively operating under said certificate since the Year 1953; that he is the owner of a three-fourths-ton truck; that he has a net worth of approximately \$20,000; that the area which he is seeking to serve is growing and developing very rapidly; that as a result of said growth, he has received numerous requests for his proposed service; that a very definite need exists for his proposed extended services.

In support of the application, three public witnesses appeared and testified. To summarize, their collective testimony generically disclosed the following facts:

1. That present service in the area involved is very poor and most inadequate;
2. That they need dependable service, which they have not been able to obtain;
3. That a very definite need exists for applicant's proposed extended service, as present service is very inadequate;

4. That they would use applicant's proposed extended service, if authority herein sought is granted.

In opposition to the granting of authority herein sought, the Jefferson County Health Department, by Jack Dice, and two certificated ash and trash haulers appeared and testified. It was stipulated by the parties herein that if three other certificated carriers were called to testify, their testimony would be substantially the same as the two carriers who previously had testified.

Jack Dice's testimony disclosed that he is familiar with the ash and trash transportation situation in the area involved; that as a result of such familiarity, in his opinion, there is no need for additional service in the area involved herein.

Summarizing, the standard protesting carrier testimony, all based upon an obvious personal interest, would be as follows: That public convenience and necessity do not require the granting of additional authority; that they have had no serious complaints as to their service; that they are willing and able to give additional service; that they need additional business because their equipment is idle and not being used at all times; that they feel there is no present need for additional service.

Applicant is presently operating under common carrier authority, and as a common carrier, is in an entirely different position than a stranger asking for like authority. This type of carrier has, in the past, presented many perplexing problems to the Commission, which the Commission endeavored to solve in Decision No. 51377, of date December 9, 1958, by stating:

" . . . In considering applications for certificates of public convenience and necessity, we have, on numerous occasions, substantially stated:

"The very theory of regulation depends upon a minimum of competition in favor of regulated monopolies. Competition leads to waste, duplication of investment, and duplication of service and expenses. Competition is not necessary in the field of public utility regu-

lation, wherein we fix rates and supervise the service offered. We, however, cannot say that this general rule or determination of policy applies as it pertains to the instant application. Protestants have followed the above rule in their presentation of their case.'

"A careful consideration of the record in the instant proceeding discloses:

"First: Applicant is a common carrier, asking for an extended territory. It appears that applicant is offering a service in Englewood that is desired by those who reside outside of his present boundaries that is not offered by competing carriers.

"Second: The Commission, after a study by the certificated carriers of ashes and trash and the staff of the Commission, which report was submitted to the Commission, determined that the peculiar nature of this operation that it was not practical or in the public interest at this time to prescribe rates for transportation of ashes and trash, and in our last Annual Report to the Governor, we recommended as follows:

"'For some years past, the Complaint and Investigation Division has recommended that legislation be enacted to take from the Commission the power to issue authority for the transportation of ashes, trash, and garbage. The problem of moving and disposing of these waste materials is one of sanitation, to which transportation is only incidental. As the population has increased in and around cities, we find that the sanitary problems have also increased. The Commission is not properly staffed to handle this type of transportation and the full regulation thereof should rest entirely on the agencies who are properly staffed, and who are charged with the responsibility of sanitation.'

"Under the present conditions, we do not have a true public utility, for the reason that we do not control rates, and the carriers charge what they please, or what competition or traffic will stand. So in the granting of certificates in the public interest, we cannot apply the rules governing a regulated public utility. We recognize that this service is important, and is definitely needed by the public, and if the incoming Legislature fails to pass our requested legislation, that it will be our duty to prescribe rates and to promulgate or approve rules as to service.

"In the interim, it therefore appears that if the granting of additional authority, in the opinion of the Commission, will improve the existing service to the public, it therefore becomes our duty to grant that authority . . ."

It has been stated often that regulation is a substitute for

competition. There is considerable truth in this statement. It is competition that enables this Commission to leave the ash and trash free from more stringent regulation, such as to rates, etc., which would greatly inconvenience the carrier and render its operation more difficult.

In view of the competitive situation, it is the conclusion of the Commission that the harm, if any, which might result in granting the instant application will be inconsequential and will maintain competition which will result in some regulation as to rates and service, and thus, accordingly, produce better service -- all of which is in the public interest.

Report of the Examiner recommends that certificate of public convenience and necessity be granted applicant herein, authorizing extension of operations under PUC No. 3291, as set forth in the Order following.

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

##### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That public convenience and necessity require applicant's extended motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above Findings be, and the same hereby is approved.

That public convenience and necessity require the extended motor vehicle common carrier call and demand transportation service

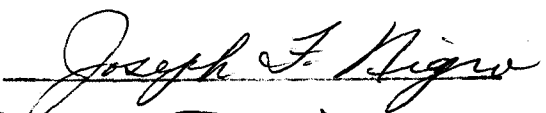
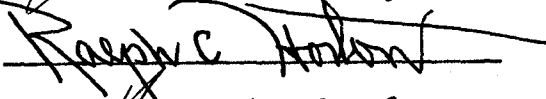

of Reuben Miller, doing business as "Miller Trash Service," Denver, Colorado, under PUC No. 3291, for the transportation of ashes, trash, and other waste materials, from points within an area in East Jefferson County, Colorado, bounded as follows: Clear Creek on the north, Kipling Street on the west, West Sixth Avenue on the south, and Sheridan Boulevard on the east, which area consists of approximately forty square blocks, to regularly-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

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.

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, 1959.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

ZERO-SALES CORPORATION, GENERAL  
DELIVERY, WASHINGTON, MISSOURI.

PERMIT NO. M-15279

November 3, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Zero-Sales Corporation,  
Washington, Missouri

requesting that Permit No. M-15279 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15279, heretofore issued to Zero-Sales Corporation,  
Washington, Missouri be,  
and the same is hereby, declared cancelled effective October 25, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Wm. E. Zwick  
Commissioners

Dated at Denver, Colorado,

this 3rd day of November, 1959.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
K. MAIWALD AND HELEN M. MAIWALD, )  
DOING BUSINESS AS, "K. MAIWALD WHOLE- )  
SALE", 415 EAST 6TH STREET, GRAND )  
ISLAND, NEBRASKA. )  
----- )

PERMIT NO. M-270

-----  
November 3, 1959  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from K. Maiwald and Helen M. Maiwald, dba "K. Maiwald Wholesale", Grand Island, Nebraska  
requesting that Permit No. M-270 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-270, heretofore issued to K. Maiwald and Helen M. Maiwald, dba "K. Maiwald Wholesale", Grand Island, Nebraska be,  
and the same is hereby, declared cancelled effective October 20, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Frank C. Horton  
Wm. E. Zurling  
Commissioners

Dated at Denver, Colorado,

this 3rd day of November, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

ORVILLE BRAHMER, 509 NORTH BEECH  
STREET, CORTEZ, COLORADO.

PERMIT NO. M-12435

November 3, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Orville Brahmer,  
Cortez, Colorado  
requesting that Permit No. M-12435 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12435, heretofore issued to Orville Brahmer,  
Cortez, Colorado be,  
and the same is hereby, declared cancelled effective September 25, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Frank C. Horton  
Henry E. Zuckerman  
Commissioners

Dated at Denver, Colorado,

this 3rd day of November, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
FLOYD ROWSON, P. O. BOX 7, SEDGWICK, )  
COLORADO )  
 )  
 )  
 )  
----- )

PERMIT NO. M-13217

-----  
November 3, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Floyd Rowson,  
Sedgwick, Colorado  
requesting that Permit No. M-13217 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13217, heretofore issued to Floyd Rowson,  
Sedgwick, Colorado be,  
and the same is hereby, declared cancelled effective October 8, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Garth C. Rowson  
Henry E. Zankings  
Commissioners

Dated at Denver, Colorado,

this 3rd day of November, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
BUILDERS' FOUNDATION (A CORPORATION) )  
P. O. BOX 7602, LAKEWOOD 15, COLO- )  
RADO. )  
----- )

PERMIT NO. M-12713

-----  
November 3, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Builders' Foundation  
(A Corporation), Lakewood 15, Colorado

requesting that Permit No. M-12713 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12713, heretofore issued to Builders' Foundation  
(A Corporation), Lakewood 15, Colorado be,

and the same is hereby, declared cancelled effective September 1, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Joseph C. Horton  
Henry E. Zullings  
Commissioners

Dated at Denver, Colorado,

this 3rd day of November, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

AUSTIN I. TINDALL AND ERNEST E. )  
MARTIN, DOING BUSINESS AS, "GATEWAY )  
URAVAN STAGE", 274 - 28 $\frac{1}{2}$  ROAD, )  
GRAND JUNCTION, COLORADO. )  
-----)

PERMIT NO. M-3501

-----  
November 3, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Austin I. Tindall and Ernest E. Martin, dba "Gateway Uravan Stage", Grand Junction, Colorado requesting that Permit No. M-3501 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3501, heretofore issued to Austin I. Tindall and Ernest E. Martin, dba "Gateway Uravan Stage", Grand Junction, Colorado be, and the same is hereby, declared cancelled effective April 30, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Samuel C. Horton  
Wm. E. Zwick  
Commissioners

Dated at Denver, Colorado,

this 3rd day of November, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
GENE COLEMAN, GUNNISON, COLORADO. )

PERMIT NO. M-10443

November 3, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Gene Coleman,  
Gunnison, Colorado  
requesting that Permit No. M-10443 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10443, heretofore issued to Gene Coleman,  
Gunnison, Colorado be,  
and the same is hereby, declared cancelled effective October 20, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Samuel C. Norton  
Wm. E. Zerkow  
Commissioners

Dated at Denver, Colorado,

this 3rd day of November, 1959.

original

(Decision No. 53276)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
PETE RUIZ, SR., AND WILLIAM C. )  
SCOTT, CO-PARTNERS, DOING BUSINESS )  
AS "SCOTT-RUIZ COAL COMPANY," 1101 )  
PARK, TRINIDAD, COLORADO, FOR AUTH- )  
ORITY TO TRANSFER PERMIT NO. B-4882 )  
TO WILLIAM C. SCOTT, DOING BUSINESS )  
AS "SCOTT MINING COMPANY," STARK- )  
VILLE, COLORADO. )

APPLICATION NO. 17438-PP-Transfer

-----  
October 30, 1959  
-----

S T A T E M E N T

By the Commission:

Heretofore, Pete Ruiz, Sr. and William C. Scott, co-partners, doing business as "Scott-Ruiz Coal Company," Trinidad, Colorado, were authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

clay, for Standard Fire Brick Company, only,  
and only from clay pits owned by said com-  
pany, to the railhead at Trinidad, Colorado,

said operating rights being known as "Permit No. B-4882."

Said permit-holders now seek authority to transfer said Permit No. B-4882 to William C. Scott, doing business as "Scott Mining Company," Starkville, Colorado, said Pete Ruiz, Sr., being desirous of withdrawing from said partnership.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that there are no outstanding unpaid operating obligations against said permit, and that transferee, pecuniarily and otherwise, is qualified to carry on the operation, 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. Therefore, 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 Pete Ruiz, Sr. and William C. Scott, co-partners, doing business as "Scott-Ruiz Coal Company," Trinidad, Colorado, be, and they hereby are, authorized to transfer all right, title, and interest in and to Permit No. B-4882 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to William C. Scott, doing business as "Scott Mining Company," Starkville, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured, said Pete Ruiz, Sr. being hereby authorized to withdraw from said partnership.

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, unless such time shall be extended by the Commission, upon proper application.

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 operations under said permit up to the time of transfer of said permit.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Myers  
Ralph C. Hobart  
Alvin E. Zuley  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of October, 1959.

mls

original

(Decision No. 53277)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN M. HUNTER, DOING BUSINESS AS )  
"BESTWAY FREIGHT LINES," P. O. BOX )  
1297, 5808 CACHE ROAD, LAWTON, )  
OKLAHOMA, FOR AUTHORITY TO TRANSFER )  
INTERSTATE OPERATING RIGHTS TO BEST- )  
WAY VAN LINES, INC., P. O. BOX 1297, )  
5808 CACHE ROAD, LAWTON, OKLAHOMA. )  
-----

PUC NO. 1430-I-Transfer

-----  
October 30, 1959  
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S T A T E M E N T

By the Commission:

Heretofore, John M. Hunter, doing business as "Bestway Freight Lines," Lawton, Oklahoma, was granted a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, in interstate commerce, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, and PUC No. 1430-I issued to him.

Said certificate-holder now seeks authority to transfer said operating rights to Bestway Van Lines, Inc., 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 the proposed transfer is compatible with the public interest and should be authorized, as set forth in the Order following.

O R D E R


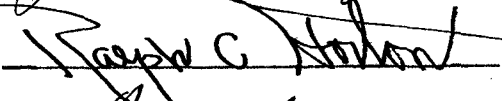

THE COMMISSION ORDERS:

That John M. Hunter, doing business as "Bestway Freight Lines," Lawton, Oklahoma, be, and he hereby is, authorized to transfer all his

right, title, and interest in and to PUC No. 1430-I to Bestway Van Lines, Inc., Lawton, Oklahoma, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured, and subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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 30th day of October, 1959.

mls

original

(Decision No. 53278)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CARL A. BURTIS, F. J. HARTMAN, S. C. )  
HARTMAN, J. CLIFFORD HARTMAN, AND )  
HAROLD B. HARTMAN, DOING BUSINESS AS )  
"BURTIS BROS. AND HARTMAN BROS.," )  
MONTROSE, COLORADO, FOR AUTHORITY TO )  
TRANSFER PERMIT NO. A-381 TO CARL A. )  
BURTIS, HAROLD B. HARTMAN, AND )  
MARIELLA HARTMAN, DOING BUSINESS AS )  
"BURTIS BROTHERS AND HARTMAN )  
BROTHERS," MONTROSE, COLORADO. )  
-----

APPLICATION NO. 17434-PP-Transfer

-----  
October 30, 1959  
-----

Appearances: John A. Hughes, Esq., Mont-  
rose, Colorado, for Trans-  
ferors and Transferees.

S T A T E M E N T

By the Commission:

The above-named transferors are the owners and operators of  
Permit No. A-381, with authority as follows:

transportation of freight Montrose to Den-  
ver via U. S. Highways Nos. 50, 85, 285,  
and 24, and State Highway No. 91, except  
that portion of U. S. Highway No. 24 be-  
tween Antero Junction and Colorado Springs,  
without the right to serve intermediate  
points.

By the instant application, said transferors seek authority  
to transfer Permit No. A-381 to Carl A. Burtis, Harold B. Hartman, and  
Mariella Hartman, doing business as "Burtis Brothers and Hartman  
Brothers," Montrose, Colorado.

Said application, pursuant to prior setting, after appro-  
priate notice to all parties in interest, was heard at the Court House,  
Montrose, Colorado, October 23, 1959, and at the conclusion of the evi-  
dence, the matter was taken under advisement.

Harold B. Hartman, one of the transferees, testified in support of the application, in effect and as follows: that the members of the transferor and the members of the transferee partnership would consist of substantially the same individuals and that the operation would be carried on in the same manner after the transfer.

No one appeared in opposition to the granting of the proposed transfer.

The operating experience and financial responsibility of transferees were established to the satisfaction of the Commission.

### 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 A. Burtis, F. J. Hartman, S. C. Hartman, J. Clifford Hartman, and Harold B. Hartman, doing business as "Burtis Bros. and Hartman Bros." Montrose, Colorado, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to Permit No. A-381 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Carl A. Burtis, Harold B. Hartman and Mariella Hartman, doing business as "Brutis Brothers and Hartman Brothers," 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 transferors 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, unless such time shall be extended by the Commission, upon proper application.

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 transferees of delinquent reports, if any, covering operations under said permit up to the time of transfer of said permit.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Joseph C. Horton  
Harry G. Pauling  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of October, 1959.

mls

original

(Decision No. 53279)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JAMES F. COOPER, ROUTE 2, BOX 13E, )  
MONTROSE, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 17435-PP

-----  
October 30, 1959  
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Appearances: Brooks and Miller, Esqs.,  
Montrose, Colorado, by  
Ralph E. Miller, Esq.,  
for Applicant.

S T A T E M E N T

By the Commission:

By application filed September 25, 1959, the applicant here-  
in seeks authority to operate as a Class "B" private carrier by motor  
vehicle for hire, for the transportation of uranium and vanadium ores,  
from points within a radius of thirty miles of Uravan, Colorado, to  
Uravan, Colorado, and to Durango, Colorado.

Said application, pursuant to prior setting, after appro-  
priate notice to all parties in interest, was heard at the Court House,  
Montrose, Colorado, October 23, 1959, and at the conclusion of the evi-  
dence, the matter was taken under advisement.

The applicant testified as to his experience and stated that  
he had made arrangements to do the hauling contemplated under the per-  
mit. His assets are approximately \$30,000 and he contemplates to use  
in the operation a D-6 Dozer, a Dodge tractor, and low-boy and a 1949  
GMC Pickup.

No one appeared in opposition to the granting of the author-  
ity 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 the above and foregoing Statement is hereby made a part of these Findings by reference.

That the authority sought should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That James F. Cooper, Montrose, 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 uranium and vanadium ores, from points within a radius of thirty miles of Uravan, Colorado, to Uravan, Colorado, and to Durango, 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 authority sheets.

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 J. Negro*  
*Ralph C. Horton*  
*Harold E. Zuley*  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of October, 1959.  
mls

original

(Decision No. 53280)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DWIGHT H. SMITH, KREMMLING, COLORADO, )  
FOR AUTHORITY TO TRANSFER PERMIT NO. ) APPLICATION NO. 17423-PP Transfer  
B-5545 TO JEWEL P. SMITH, KREMMLING, )  
COLORADO. )  
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-----  
October 30, 1959  
-----

S T A T E M E N T

By the Commission:

Heretofore, Dwight H. Smith, Kremmling, Colorado, was author-  
ized to operate as a Class "B" private carrier by motor vehicle for hire,  
for the transportation of:

logs and poles, within the State of Colorado,  
from forests to sawmills and railroad loading  
points within a radius of thirty miles of said  
forests,

said operating rights being designated "Permit No. B-5545."

By the above-styled application, said permit-holder seeks auth-  
ority to transfer said Permit No. B-5545 to Jewel P. Smith, Kremmling,  
Colorado.

Said application was regularly set for hearing before the Com-  
mission, at the Court House, Hot Sulphur Springs, Colorado, October 14,  
1959, at one o'clock P. M., due notice thereof being forwarded to all  
parties in interest.

On October 8, 1959, the Commission, as provided by law, desig-  
nated Edwin R. Lundborg, an employee of the Commission, to conduct the  
hearing on said application, he thereafter to submit a report of said  
proceedings to the Commission.

Report of said Examiner states that at the time and place  
designated for hearing, applicants failed to appear, either in person

or by counsel.

Thereupon, the files were made a part of the record, and the matter was heard and taken under advisement.

The files of the Commission disclose that transferee is qualified, financially and by experience to continue operations under Permit No. B-5545; that there is no consideration for transfer of said operating rights, as said permit is being transferred from father to son; that there are no outstanding unpaid operating obligations against said permit.

No one appeared in opposition to the granting of authority herein sought.

Report of the Examiner recommends that authority herein sought be granted.

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

##### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That the proposed transfer is compatible with the public interest, and should be authorized, as set forth in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

That Dwight H. Smith, Kremmling, Colorado, be, and he hereby is, authorized to transfer all right, title, and interest in and to Permit No. B-5545 -- with authority as set forth in the Statement preceding which is made a part hereof, by reference -- to Jewel P. Smith, Kremmling, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

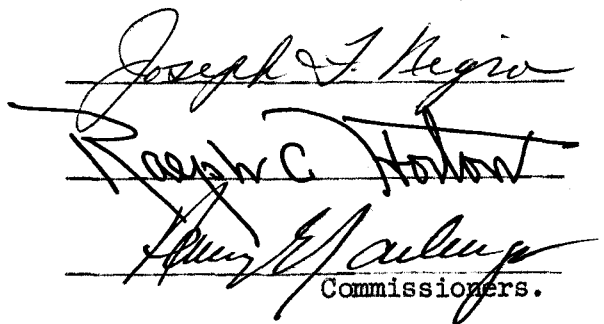
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this 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, unless such time shall be extended by the Commission, upon proper application.

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.

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

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, 1959.

mls

original

(Decision No. 53281)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
EDGAR TAYLOR, DOING BUSINESS AS )	
"TAYLOR TRUCK LINE," 2348 WEST )	
BRITTAN ROAD, OKLAHOMA CITY, OKLA- )	<u>PUC NO. 3068-I-Transfer</u>
HOMA, FOR AUTHORITY TO TRANSFER )	
INTERSTATE OPERATING RIGHTS TO )	
OSCAR TAYLOR, DOING BUSINESS AS )	
"TAYLOR TRUCK LINE," 2101 CARLTON )	
WAY, OKLAHOMA CITY, OKLAHOMA. )	
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-----  
October 30, 1959  
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S T A T E M E N T

By the Commission:

Heretofore, Edgar Taylor, doing business as "Taylor Truck Line," Oklahoma City, Oklahoma, was granted a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, in interstate commerce, for the transportation of:

freight, between all points in the State of Colorado and the Colorado State Boundary Lines, where all highways cross same, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended,

and PUC No. 3068-I issued to him.

Said certificate-holder now seeks authority to transfer said operating rights to Oscar Taylor, doing business as "Taylor Truck Line," Oklahoma City, 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 the proposed transfer is compatible with the public interest, and should be authorized, as set forth in the Order following.

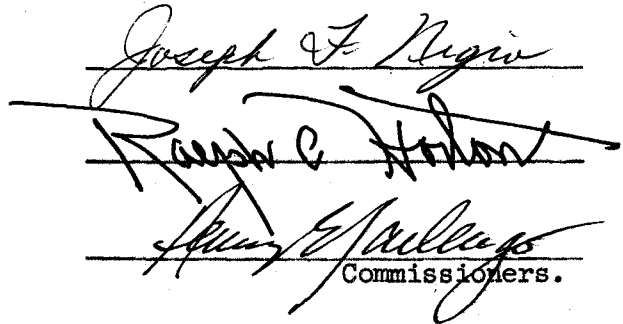
O R D E R

THE COMMISSION ORDERS:

That Edgar Taylor, doing business as "Taylor Truck Line," Oklahoma City, Oklahoma, be, and he hereby is, authorized to transfer all right, title and interest in and to PUC No. 3068-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Oscar Taylor, doing business as "Taylor Truck Line," Oklahoma City, Oklahoma, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured, and subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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 30th day of October, 1959.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )	
DOMINIC FICCO AND A. R. POMPEY, JR., )	
CO-PARTNERS, DOING BUSINESS AS "F & )	
P TRASH HAULING," 7160 NIAGARA )	
STREET, DERBY, COLORADO, FOR AUTHOR- )	APPLICATION NO. 17410-Transfer
ITY TO TRANSFER PUC NO. 2084 TO A. R. )	
POMPEY, JR., DOING BUSINESS AS "F & )	
P TRASH HAULING," 7160 NIAGARA )	
STREET, DERBY, COLORADO. )	
-----	

-----  
October 30, 1959  
-----

Appearances: A. R. Pompey, Jr., Derby,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

Heretofore, Dominic Ficco and A. R. Pompey, Jr., co-partners, doing business as "F & P Trash Hauling," Derby, Colorado, were granted a certificate of public convenience and necessity, authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

trash, refuse, ashes and like material, from point to point within the area bounded on the south by the City Limits of the City and County of Denver; on the west by the Platte River; on the east by the Rocky Mountain Arsenal, and on the north by the County Road known as "Nine-Mile Road," and the extensions thereof east and west between the Platte River and the Rocky Mountain Arsenal,

said operating rights being known as "PUC 2084."

By the instant application, said certificate-holders seek authority to transfer said operating rights to A. R. Pompey, Jr., doing business as "F & P Trash Hauling," Derby, Colorado, said Dominic Ficco being desirous of withdrawing from said co-partnership.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, October 9, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On October 8, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, A. R. Pompey, Jr., Transferee herein, appeared in support of the application, testifying that his partner, Dominic Ficco, is desirous of withdrawing from said business; that there is no consideration for transfer of said operating rights; that he is the owner of two Ford Trucks; that he has a net worth of \$18,000; that there are no outstanding unpaid operating obligations against said PUC No. 2084; that neither transferor nor transferee has any financial or proprietary interest in any other operating right issued by this Commission.

No one appeared in opposition to the granting of authority herein sought.

The operating experience and financial responsibility of transferee were established to the satisfaction of the Commission.

Report of the Examiner recommends that authority herein sought be granted.

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

##### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.



That the proposed transfer is compatible with the public interest, and should be authorized, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

That Dominic Ficco and A. R. Pompey, Jr., co-partners, doing business as "F & P Trash Hauling," Derby, Colorado, be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 2084 -- with authority as set forth in the preceding Statement, which is made a part hereof, by reference -- to A. R. Pompey, Jr., doing business as "F & P Trash Hauling," Derby, Colorado, said Dominic Ficco being hereby authorized to withdraw from said co-partnership.

That transfer of operating rights herein authorized is 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 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, unless such time shall be extended by the Commission, upon proper application.

The tariff of rates, rules, and regulations of transferors

shall, upon proper adoption notice, 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 operations under said certificate up to the time of transfer of said certificate.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph F. Nigro*  
*Ralph C. Horton*  
*Henry E. Wallace*  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of October, 1959.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

BILL RENO, INCORPORATED, 3625 EAST )  
COLFAX AVENUE, DENVER 6, COLORADO. )  
----- )

PERMIT NO. M-6241

-----  
November 4, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Bill Reno, Incorporated,  
Denver 6, Colorado

requesting that Permit No. M-6241 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6241, heretofore issued to Bill Reno, Incorporated,  
Denver 6, Colorado be,  
and the same is hereby, declared cancelled effective September 21, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Wm. E. Zurling  
Commissioners

Dated at Denver, Colorado,

this 4th day of November, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

ROY FRANKLIN, 2819 GLENARM PLACE,  
DENVER 5, COLORADO.

PERMIT NO. M-15734

November 4, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Roy Franklin,  
Denver 5, Colorado  
requesting that Permit No. M-15734 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15734, heretofore issued to Roy Franklin,  
Denver 5, Colorado be,  
and the same is hereby, declared cancelled effective September 29, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
James C. Horton  
Henry E. Zarlengo  
Commissioners

Dated at Denver, Colorado,

this 4th day of November, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

JOHN AMBROSE NORRIS, 3866 NORTH  
TYNDALL AVENUE, TUCSON, ARIZONA.

PERMIT NO. M-15924

November 4, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from John Ambrose Norris,  
Tucson, Arizona

requesting that Permit No. M-15924 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15924, heretofore issued to John Ambrose Norris,  
Tucson, Arizona be,

and the same is hereby, declared cancelled effective October 9, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Harold G. Norton  
Henry E. Ziegler  
Commissioners

Dated at Denver, Colorado,

this 4th day of November, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

B. I. WHITLOCK, DOING BUSINESS AS, )  
"B. I. WHITLOCK BUTANE COMPANY", )  
P. O. BOX 324, STERLING, COLORADO. )  
----- )

PERMIT NO. M-1580

-----  
November 4, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from B. I. Whitlock, doing  
business as, "B. I. Whitlock Butane Company", Sterling, Colorado  
requesting that Permit No. M-1580 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1580, heretofore issued to B. I. Whitlock, doing  
business as, "B. I. Whitlock Butane Company", Sterling, Colorado be,  
and the same is hereby, declared cancelled effective October 11, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Henry E. Zink  
Commissioners

Dated at Denver, Colorado,

this 4th day of November, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
D. L. JOHNSON, 1922 BROADWAY, )  
SCOTTSBLUFF, NEBRASKA. )  
)  
)  
)  
-----

PUC NO. 2937-I

-----  
November 4, 1959  
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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 D. L. Johnson,  
Scottsbluff, Nebraska

requesting that Certificate of Public Convenience and Necessity No. 2937-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. 2937-I heretofore issued to D. L. Johnson,  
Scottsbluff, Nebraska

be, and the same is hereby, declared cancelled effective October 16, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Joseph C. Norton  
Henry E. Zaitz  
Commissioners

Dated at Denver, Colorado,  
this 4th day of November, 1959.

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN W. KNOWLES, FRANK W. KNOWLES, )  
AND E. L. KNOWLES, CO-PARTNERS, DO- )  
ING BUSINESS AS "KNOWLES SALES & )  
SERVICE COMPANY," P. O. BOX 687, )  
GUNNISON, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 17437-PP

IN THE MATTER OF THE APPLICATION OF )  
JOHN W. KNOWLES, FRANK W. KNOWLES, )  
AND E. L. KNOWLES, CO-PARTNERS, DO- )  
ING BUSINESS AS "KNOWLES SALES & )  
SERVICE COMPANY," P. O. BOX 687, )  
GUNNISON, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 17437-PP-Amended

-----  
November 3, 1959  
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Appearances: Henry H. Parfet, Gunnison,  
Colorado, for Applicant;  
Jerry McCoy, Grand Junction,  
Colorado, for Ephraim  
Freightways, Inc.;  
Marion Smyser, Esq., Denver,  
Colorado, for Rio Grande  
Motor Ways, Inc.

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  
freight, including newspapers, from Ephraim Freightways docks, in  
Gunnison, Colorado, to points within the City of Gunnison, Colorado,  
only, for Ephraim Freightways, only.

Applicant requested, by letter dated October 14, 1959, to  
amend its application by substituting for the existing wording be-  
ginning on line 9 thereof, the following wording, to-wit:



for the transportation of freight, including newspapers, moving on Ephraim Freightways, Inc. billing in pick-up and delivery service from or to Ephraim Freightways, Inc., docks or vehicles in Gunnison, Colorado, on the one hand, and on the other hand all points within the Gunnison area within the scope of Ephraim Freightways, Inc., authority under Colorado Permit A-494, for Ephraim Freightways, Inc., only.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Montrose, Colorado, October 23, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

In view of the fact that the only protestant appearing at the hearing agreed to withdraw its protest if the restriction incorporated in the Order which follows were made, and the fact that no enlargement of authority is involved which might be prejudicial to interested parties, it appears that the amendment should be allowed.

Henry H. Parfet testified in support of the application in effect and as follows: that the applicant has one 2-ton stake truck and five one-half or 3/4-ton pickup trucks which will be used in the operation; that these trucks will not be kept any where near fully occupied in the operation and it is desired that the same may be simultaneously continued to be used by the applicant in hauling its own merchandise; that transportation for Ephraim Freightways, Inc., only, and transportation only permitted under the latter's authority is desired; that such operation would result in more economical transportation and be beneficial to the public.

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

##### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

It does 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.

That the amended authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That John W. Knowles, Frank W. Knowles and E. L. Knowles, co-partners, doing business as "Knowles Sales & Service Company," Gunnison, Colorado, should be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of freight, including newspapers, moving on Ephraim Freightways, Inc. billing in pick-up and delivery service from or to Ephraim Freightways, Inc. docks or vehicles in Gunnison, Colorado, on the one hand, and, on the other hand, all points within the Gunnison area within the scope of Ephraim Freightways, Inc. authority under Permit No. A-494, for Ephraim Freightways, Inc., 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 applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and have secured authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph F. Kegin*  
*Robert C. Holton*  
*Henry J. Harlapp*  
Commissioners.

Dated at Denver, Colorado,  
this 3rd day of November, 1959.  
mls

original

(Decision No. 53290)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF ASPEN AIRWAYS, INC., ASPEN, COLO- RADO, FOR PERMANENT COMMON CARRIER AUTHORITY TO OPERATE SCHEDULED SER- VICE BY AIRPLANE, EXCEPTING HELI- COPTER.	} } } } }	<u>APPLICATION NO. 16761-Extension</u>
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November 3, 1959  
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Appearances: R. B. Danks, Esq., Denver,  
Colorado, for Applicant;  
W. F. Bridgeman, Denver,  
Colorado, for the Com-  
mission.

S T A T E M E N T

By the Commission:

By Decision No. 51483, dated December 30, 1958, Aspen Air-  
ways, Inc., Aspen, Colorado, was granted a certificate of public con-  
venience and necessity authorizing it to experiment with scheduled  
service in light aircraft for a period of approximately one year, or  
until February 1, 1960, unless sooner extended.

By the present application, applicant seeks to have the  
certificate made permanent so as to authorize scheduled service by  
aircraft, excepting helicopter, of passengers and property, between  
Aspen, Colorado, and airports in the vicinity thereof, on the one  
hand, and Denver, Colorado, and airports in the vicinity thereof,  
on the other hand.

Said application, pursuant to prior setting, after appro-  
priate notice to all parties in interest, was heard at the Hearing  
Room of the Commission, 330 State Office Building, Denver, Colorado,  
October 26, 1959, and at the conclusion of the evidence, the matter  
was taken under advisement.

C. B. Simmons, Vice President of the Applicant and a pilot, testified in support of the application in effect and as follows: that he has been operating the business of the Applicant as Manager and also as pilot for approximately one year; that the Company has conducted daily and weekly schedules intermittently for the past year; that Exhibit A, showing the balance sheet of the Company from August 31, 1958, to August 31, 1959, was prepared by Certified Public Accountants and under his supervision and are correct; that he was appearing for the Company in the unavoidable absence of the Company President; that it is expedient to meet future public needs for the Company to have the permanent authority requested and without restriction as to size of aircraft to be used.

Waddill Catchings, a resident of Aspen, testified that he is an instructor at the ski school in Aspen and is also Manager of the music school there, and as such is familiar with the public transportation needs; that he has used the service of the Applicant in the past, and it is good; that the public interest will be served if the Application is granted.

The Applicant has been in operation under a temporary authority. Witness Catchings is also President of the Aspen Chamber of Commerce and stated that the Chamber has gone on record favoring the permanent authority and the removal of the limitation on the size of aircraft of the Applicant.

Two other witnesses were present who are also businessmen and reside in Aspen. These individuals indicated they would testify in substance in the same manner as Mr. Catchings.

W. F. Bridgeman, a Commission inspector, representing the Commission's staff, stated that he has consistently observed the operation of the applicant in the past and that the management and operation of the applicant from the standpoint of safety, service and public relations is very good. He also recommended to the Commission

that the application be granted.

No one appeared in opposition to the granting of the authority herein sought.

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 above and foregoing Statement is hereby made a part of these Findings by reference.

That public convenience and necessity require the proposed permanent scheduled service of Applicant, and that certificate of public convenience and necessity should issue therefor.

### O R D E R

#### THE COMMISSION ORDERS:

That public convenience and necessity require the proposed permanent scheduled service of Aspen Airways, Inc., Aspen, Colorado, by aircraft, excepting helicopter, of passengers and property, between Aspen, Colorado, and airports in the vicinity thereof, on the one hand, and Denver, Colorado, and airports in the vicinity thereof, on the other hand, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.


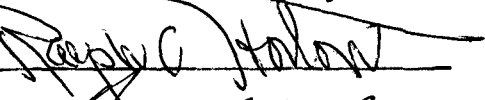

That Applicant herein shall not set up an office in any other town or city than Aspen, Colorado, for solicitation of business, without first having obtained permission from this Commission so to do.

Applicant shall file tariffs, rate schedules, and rules and regulations with, and to be approved by, this Commission, within thirty (30) days from the date hereof, and such rates so filed for transportation of passengers between points served by air carriers operating on schedule over fixed routes, and in competition therewith, shall be sufficiently in excess of the per-passenger effective rates of said

fixed route carriers by air so operating on schedule between said points to be non-competitive therewith.

The Applicant shall carry suitable insurance protection, covering public liability, property damage, and passenger insurance, and shall continue to carry such insurance and any other insurance protection that may be required by the Commission.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 3rd day of November, 1959.

mls

original

(Decision No. 53291)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
R. E. FRANCIS, ROUTE 1, BOX 33, )  
GUNNISON, COLORADO, FOR AUTHORITY TO )  
EXTEND OPERATIONS UNDER PERMIT NO. ) APPLICATION NO. 17436-PP Extension  
B-5835. )  
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-----  
November 3, 1959  
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S T A T E M E N T

By the Commission:

R. E. Francis, Gunnison, Colorado, is the owner and operator of Permit No. B-5835, which authorizes:

transportation of rough lumber from Gunnison National Forest, within a radius of fifty miles of Iola, Colorado, to loading points and places of storage at Crested Butte and to planing mills at Montrose, Colorado, specifically excluding the right to load on U. S. Highway No. 50.

By the above-styled application, R. E. Francis, Gunnison, Colorado, seeks authority to extend operations under said Permit No. B-5835, to include the right to transport rough lumber and logs, from forests and sawmills, to loading points and places of storage and sawmills within a radius of one hundred miles of Gunnison, Colorado.

Said application was regularly set for hearing at the Court House, Montrose, Colorado, October 23, 1959, due notice of the time and place being forwarded to all parties in interest.

Said application was regularly set for hearing at the Court House, Montrose, Colorado, October 23, 1959, due notice of the time and place being forwarded to all parties in interest.

Notwithstanding said notice, applicant failed to appear either in person or by counsel at the time and place designated for

hearing.

The files were made a part of the record and the matter was taken under advisement.

No one appeared in opposition to the granting of the authority sought, and it did not appear that the granting of said extension, and operations by applicant thereunder, will tend to impair the efficiency of any common carrier service with which he will compete.

### 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 R. E. Francis, Gunnison, Colorado, should be, and he hereby is, authorized to extend operations under Permit No. B-5835, to include the right to transport rough lumber and logs, from forests and sawmills, to loading points and places of storage and sawmills within a radius of one hundred miles of Gunnison, 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

*Joseph F. Negro*  
*Raymond C. Holman*  
*Arthur G. Wilson*  
Commissioners.

Dated at Denver, Colorado,  
this 3rd day of November, 1959.

mls



original

(Decision No. 53292)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
EASTERN COLORADO UTILITY COMPANY, )  
EADS, COLORADO, FOR DETERMINATION )  
OF RATE BASE AND RATE OF RETURN TO )  
WHICH APPLICANT IS ENTITLED, AND )  
INCREASE IN RATES TO EARN A FAIR )  
RETURN ON ITS SHERIDAN LAKE, KIT )  
CARSON, AND DEER TRAIL PROPERTIES. )  
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APPLICATION NO. 17429

-----  
November 2, 1959  
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Appearances: John J. Lefferdink, Esq., Eads,  
Colorado, for Applicant;  
J. M. McNulty, Denver, Colorado,  
for the Staff of the Commission.

S T A T E M E N T

By the Commission:

On October 2, 1959, Eastern Colorado Utility Company, filed an application with this Commission seeking the approval for new gas rates for the towns which it serves.

The application was set for hearing on Tuesday, October 27, 1959, at ten o'clock A. M., in the Court House at Eads, Colorado, after due notice to all interested parties, including the Mayors of Sheridan Lake, Kit Carson and Deer Trail, Colorado. At said time and place, the matter was heard by the Commission, and at the conclusion of the hearing, taken under advisement.

Applicant is a Colorado corporation and a public utility operating company subject to the jurisdiction of this Commission. A certified copy of Applicant's Certificate of Incorporation, together with all amendments thereto, has heretofore been filed with this Commission. The post office address and principal office of Applicant is Eads, Colorado.

Applicant supplies gas service to the Town of Kit Carson in Cheyenne County; to the Town of Sheridan Lake in Kiowa County; and to the Town of Deer Trail in Arapahoe County. Applicant obtains its supply of gas for service in Kit Carson and Sheridan Lake from the Colorado Interstate Gas Company, whose rates and charges for gas are under the jurisdiction of the Federal Power Commission. The supply of gas for Deer Trail is obtained from Natural Gas Producers, whose rates for gas are under the jurisdiction of the Colorado Commission. Applicant has been supplying gas service to these communities for approximately three years, having started in business in late 1956. The application herein is the first proposed change in rates for any of the towns served since the initial rate filing with the Commission when the certificates of public convenience and necessity were granted for service to these towns.

Mr. John Tarr, a Certificated Public Accountant, testified at the hearing on behalf of the Applicant and also submitted certain exhibits purporting to show the financial condition of this Company as of December 31, 1958, the end of the test year as proposed herein. According to the witness and the exhibit submitted, this Company has been losing money since starting in the gas business. While it was expected that the Company, during its initial stages of operation, when it was connecting new customers, would show losses, it was not anticipated that these losses would continue after the majority of the customers had been connected. While the Company as a whole showed a loss for the year 1958, this loss was attributable mainly to Kit Carson, and Sheridan Lake, partly because of additional investment incurred by Applicant in installation of a transmission line to serve Kit Carson. Historically, the same gas rates have been applied to Kit Carson and Sheridan Lake because of the source of supply and the proximity of these two areas. Deer Trail has had a different rate since it has a separate wholesale supplier and is not located in the same area as the other two towns. Exhibit "B" introduced at the hear-

ing by the witness revealed that for the year ending December 31, 1958, Applicant lost \$1,622.80. Also submitted as Exhibit "B" was a rate base for the Company allocated as between Kit Carson, Sheridan Lake and Deer Trail. Schedule 4 of Exhibit "B" was a pro forma statement of income for the test year ending December 31, 1951, after adjustments for the proposed new rates and also reflecting certain other adjustments in the operating expenses. Set out below are the figures taken from Exhibit "B" showing the rate base, the income and expenses as adjusted for the test year and the rate of return on the rate base after adjusting the income and expenses on a pro forma basis for the test year:

RATE BASE  
Test Year Ending 12/31/58  
From Exhibit B, Schedule 2

	<u>Kit Carson</u>	<u>Sheridan Lake</u>	<u>Sub Total</u>	<u>Deer Trail</u>	<u>Total Company</u>
Plant in Service	\$44,827.50	\$20,953.65	\$65,781.15	\$30,340.75	\$ 96,121.00
Materials & Supplies	699.60	327.00	1,076.60	473.40	1,500.00
Working Capital	1,386.36	302.36	1,689.14	1,266.49	2,955.63
Total Gross Rate Base	\$46,913.88	\$21,583.01	\$68,546.89	\$32,080.64	\$100,577.53

Deductions

Reserve for Depreciation	\$ 2,949.42	\$ 1,248.28	\$ 4,197.70	\$ 2,497.30	\$ 6,695.00
Contributions in Aid of Construction	- -	2,850.00	2,850.00	- -	2,850.00
Total Deductions	\$ 2,949.42	\$ 4,098.28	\$ 7,047.70	\$ 2,497.30	\$ 9,545.00
Rate Base	\$43,964.46	\$17,484.73	\$61,499.19	\$29,583.34	\$ 91,032.53

REVENUES & EXPENSES  
TEST YEAR ADJUSTED  
Exhibit "B" Schedule 4

	<u>Kit Carson</u>	<u>Sheridan Lake</u>	<u>Deer Trail</u>	<u>Total Company</u>
Operating Revenue	\$28,878.08	\$28,878.08	\$17,332.88	\$46,210.96
<u>Operating Expenses</u>				
Purchased Gas	10,664.57	10,664.57	4,636.95	15,301.52
Other Operating Exp.	9,664.69	9,664.69	8,143.85	17,808.54
Depreciation Expense	2,105.40	2,105.40	1,015.10	3,120.50
Taxes other than Income	1,279.30	1,279.30	1,077.99	2,357.29
Federal & State Income Taxes	1,729.98	1,729.98	823.76	2,553.74
Total Expenses	\$25,443.94	\$25,443.94	\$15,697.65	\$41,141.59
Net Operating Revenue	\$ 3,434.14	\$ 3,434.14	\$ 1,635.23	\$ 5,069.37
Rate of Return	5.59%	5.59%	5.53%	5.57%

The President of the Company, Mr. George D. Crow, also testified at the hearing that while the Company had been losing money since its inception, most of the customers in the three towns in which the Company operates have now been connected to the system and he felt that a rate increase was necessary if the Company was to show a profit. He also testified that at the time the transmission line was built to serve Kit Carson, he had not expected to spend as much money for the construction, since it was his understanding that the wholesale supplier, Colorado Interstate Gas Company, would stand the greater proportion of the cost of installation of this transmission line. After the line was in he was informed by Colorado Interstate that it could not take this additional expense, and therefore Eastern Colorado Utility would have to assume all of the labor costs of installation. At the time of the setting of the initial rates, the costs were based on Colorado Interstate Gas advancing these funds rather than Eastern Colorado Utility and this in turn has necessitated in part the adjustment for the rate increase sought herein.

After reviewing the testimony and exhibits herein, it is evident that Applicant is in need of a rate increase and that the rates it proposes to charge in Kit Carson, Sheridan Lake and Deer Trail are not excessive, preferential or discriminatory and should be permitted to be filed and to become effective as set forth in our Order to follow.

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

##### THE COMMISSION FINDS:

That it has jurisdiction of Eastern Colorado Utility Company, Applicant herein, and of the subject matter of the instant application.

That the Commission is fully informed in the premises.

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

That the rates as proposed by Eastern Colorado Utility Company for gas service for the Towns of Kit Carson, Sheridan Lake and Deer Trail are just, reasonable, non-preferential and should be permitted to

be filed and to become effective as set forth in our Order herein.

O R D E R

THE COMMISSION ORDERS:

That Eastern Colorado Utility Company, Eads, Colorado, be, and it hereby is, authorized to file with the Commission at least three (3) days' prior to the effective date of the Order herein, the rates as set forth herein.

That the rates when filed be permitted to become effective for the November billing period and on all gas sold thereafter.

RESIDENTIAL AND COMMERCIAL GAS SERVICE

KIT CARSON AND SHERIDAN LAKE

RATE

First	1,000 cubic feet, or less, per month. . . . .	\$2.00
Next	4,000 cubic feet, per month, per MCF. . . . .	1.10
Next	45,000 cubic feet, per month, per MCF. . . . .	.725
Next	50,000 cubic feet, per month, per MCF. . . . .	.675
Excess	cubic feet, per month, per MCF. . . . .	.60

MINIMUM CHARGE

Per month . . . . . \$2.00

RESIDENTIAL AND COMMERCIAL GENERAL GAS SERVICE

DEER TRAIL

RATE

First	600 cubic feet, or less, per month. . . . .	\$2.00
Next	1,400 cubic feet, per month, per MCF. . . . .	1.10
Next	3,000 cubic feet, per month, per MCF. . . . .	.95
Next	15,000 cubic feet, per month, per MCF. . . . .	.75
Next	80,000 cubic feet, per month, per MCF. . . . .	.68
Excess	cubic feet, per month, per MCF. . . . .	.63

MINIMUM CHARGE

Per month . . . . . \$2.00

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph F. Higgins*  
*Raymond C. Horton*  
*Donna M. Maloney*  
Commissioners.

Dated at Denver, Colorado,  
this 2nd day of October, 1959.  
mls

revised

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION )	
OF THE WESTERN COLORADO POWER )	
COMPANY, MONTROSE, COLORADO, FOR )	
A CERTIFICATE OF PUBLIC CONVEN- )	
IENCE AND NECESSITY IN THE CITY )	
OF OURAY, OURAY COUNTY, COLORADO. )	
----- )	
	<u>APPLICATION NO. 17428</u>

-----  
November 3, 1959  
-----

Appearances: L. J. Baudino, Montrose,  
Colorado, for Applicant;  
J. L. McNeill, Denver,  
Colorado, for the Staff  
of the Commission.

S T A T E M E N T

By the Commission:

This is an application by Western Colorado Power Company for a certificate of public convenience and necessity to exercise franchise rights in the City of Ouray, Colorado, for the furnishing of electric service in said city and to the residents thereof.

The matter was set for hearing after due notice to all interested parties, on Friday, October 23, 1959, at 9:30 o'clock A. M., in the District Court Room, Court House, at Montrose, Colorado, and at said time and place the matter was duly heard by the Commission. At the conclusion of the hearing, the matter was taken under advisement.

Applicant is a corporation, organized and existing under and by virtue of the laws of the State of Colorado and is a public utility subject to the jurisdiction of this Commission. Applicant is engaged in the business of generation, transmission, distribution and sale of electric energy in various towns and communities in the southwestern part of the State of Colorado. The company's principal office and place of business is at Montrose, Colorado. It also maintains local offices in the various towns in which it operates.

A certified copy of Applicant's Certificate of Incorporation, together with all amendments thereto, has heretofore been filed with this Commission.

The witness for applicant, Mr. L. J. Baulino, Vice-President and General Manager, testified that on August 3, 1959, the City Council of the City of Ouray, duly passed and approved Ordinance No. 1, Series 1959, granting to the Western Colorado Power Company, its successors and assigns a franchise permitting applicant to supply electricity to said city and the inhabitants thereof for a period of twenty years. A certified copy of the franchise was filed in the instant matter as Exhibit A attached to the application. The company accepted, in writing, the franchise granted to it by the city on August 3, 1959.

The witness further testified that the applicant has been supplying electricity to the city and the inhabitants thereof since April 1, 1914, and that it is the only public utility operating in said city during this period of time. The Company has been supplying service under a previous franchise which expired on July 3, 1959.

As of September 1959, the Company has been serving 365 customers within the corporate limits of the City of Ouray. The witness estimated the present population of the city to be between 800 and 900. The Company intends to continue electric service under the rate schedules, rules and regulations presently on file with this Commission, until changed according to law or the rules and regulations of this Commission.

Further testimony revealed that the Company expects to spend approximately \$50,000 for capital improvements during the life of the new franchise. This figure will be used as the basis for the issuance fee for the certificate sought herein, but will not be binding upon the Commission in any subsequent investigation where rates or valuation may be an issue.

The witness also testified that the Company has adequate facilities to supply the City of Ouray with electric service. The distribution system of the city is on an interconnected transmission system of the Company and it can receive service from either of two directions. The witness believes that the City will increase in size in the next twenty years, but did not foresee any shortage of power to provide adequate service during this period.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the Commission has jurisdiction of the Applicant herein, Western Colorado Power Company, and of the subject matter involved in the instant application.

That the Commission is fully advised in the premises.

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

That public convenience and necessity require, and will require, the exercise by Applicant of the franchise rights granted in and by Ordinance No. 1, Series 1959, of the City of Ouray, dated August 3, 1959, for the generation, transmission, distribution and sale of electricity in said city by Applicant, and that a certificate of public convenience and necessity should issue therefor.

### O R D E R

#### THE COMMISSION ORDERS:

That public convenience and necessity require, and will require, the exercise by Western Colorado Power Company of franchise rights granted in and by Ordinance No. 1, Series 1959, of the City of Ouray, Ouray County, State of Colorado, dated August 3, 1959, as set forth in Exhibit A, attached to the instant application and made a part hereof, by reference, for the generation, transmission, distribution and sale of electric energy by Western Colorado Power Company in said City, and that this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.



That Western Colorado Power Company shall install, operate and maintain its electric system and supply service in the area above designated in accordance with its schedules of rates, rules and regulations now on file with this Commission or as the same may be changed according to law and the rules and regulations of this Commission.

That Western Colorado Power Company shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts and shall continue to keep its practices as to testing of meters, consumers' deposits, operations, records of meters and complaints in accordance with the requirements of the Commission.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Regier  
Joseph C. Horton  
Henry B. Zullges  
Commissioners.

Dated at Denver, Colorado,  
this 3rd day of November, 1959.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THE ATCHISON, TOPEKA AND SANTA FE )  
RAILWAY COMPANY FOR PERMISSION TO )  
CONSOLIDATE THE OPERATIONS OF ITS ) APPLICATION NO. 17356  
AGENCY STATIONS AT BRISTOL AND )  
HARTMAN, PROWERS COUNTY, COLORADO. )  
-----)

-----  
November 3, 1959  
-----

S T A T E M E N T

By the Commission:

Pursuant to the rules and regulations of this Commission, the above applicant, by its attorneys, did on August 26, 1959, file an application requesting authority for the consolidation of station duties whereby a single agent will offer service on a part-time basis each working day at the Bristol and Hartman stations, Prowers County, Colorado, said changes to be effective on October 1, 1959.

Hartman and Bristol are located on a branch line of the Santa Fe Railroad, operating along the north side of the Arkansas River between Holly and Swink, Colorado. Hartman is four miles north and six miles west of the main-line station at Holly. Bristol is six miles west from Hartman on Colorado Highway No. 196, which is an asphalt paved road. From Bristol, there is also a paved road for four miles south to the main-line at Granada; from Granada westward it is then 17 miles to Lamar via the Santa Fe main-line or U. S. Highway No. 50.

In the instant application, it is shown that there is not sufficient station work at either town to justify the full-time services of an agent. Meanwhile, there is need on the system for trained operator-agents and it is proposed that a more efficient use of man-power can be made by having only one man to spend a part of each working day at each station. In this manner, the extra man is made available for more productive work elsewhere.

Prior to submission of the proposal to this Commission, the railroad management contacted its shippers and other interested parties in the area. In the absence of serious objections, the instant application was thereafter prepared. At the time of filing with the Commission, copies of the application were also sent to the following:

Mr. George M. Vagher, Manager, Southeast Colorado  
Coop Elevator, Bristol, Colorado;

Mr. J. D. Simmeth, Bristol Machine Shop,  
Bristol, Colorado;

Mr. Jack Tyner, Manager, Des Marteau Commission  
Co., Granada, Colorado;

Mr. Wilford Randle, Mayor, Hartman, Colorado;

Mr. Tony J. Bartkoski, Manager, Des Marteau  
Commission Co., Hartman, Colorado;

Mr. Floyd Littler, Superintendent, National  
Alfalfa Dehydrating and Milling Co.,  
Hartman, Colorado.

In compliance with further rules of the Commission, public notice of the proposed change of service was given by a posting of the application at each station on August 31, 1959.

It is cited that passenger service on the mixed freight train only amounted to four \$1.60 fares from the area in the period 1953 through 1957; further, that ticket sales from any point along the line can be readily handled by the train conductor. Under the current proposal there will be no change in train service; handling of carload freight and less-than-carload shipments will not be affected and an agent will be available during certain hours of the day at each of the stations for the handling of car billings, receipt of claims, ordering of cars and other station services. Telephone service will be retained at each station and the railroad will pay toll charges for calls pertaining to railroad business.

Investigation by the Commission has revealed the following:

Principal occupation in the area is agriculture, grains and sugar beets; population according to 1950 census was 181 for Hartman and 250 for Bristol; driving time on the newly paved road

will average fifteen minutes between the two stations; Hartman agent now lives in Railroad house near Hartman station, Bristol agent lives at Lamar and drives twenty miles to work.

Rail service consists of a mixed train that operates eastward to Holly on Monday, Wednesday and Friday, return trip westward is made on Tuesday, Thursday and Saturday.

Review of the station business indicates the following:

CARLOAD & L. C. L. FREIGHT

Year	Hartman				Bristol			
	Carloads		LCL (Pounds)		Carloads		LCL (Pounds)	
	Fwd.	Recd.	Fwd.	Recd.	Fwd.	Recd.	Fwd.	Recd.
1957	200	27	600	10,500	169	9	215	19,000
1958	351	12	2,200	8,400	417	16	775	13,560
(5Mo)1959	36	7	2,000	1,780	82	0	0	3,400
(29Mo Total	587	46	4,800	20,680	668	25	990	35,960
Av./ Month	20	2	170	710	23	1	31	1,240

From the above it is seen that the main rail activity is for the forwarding of carload shipments. However, if the above analysis was reduced to a daily basis, there has been only one carload forwarded per day from each town. Hence, we have the proposal that there is not sufficient work to require that an agent be on duty full time at each station; but rather that one agent working part of each day at each station could readily perform all the necessary duties. In this manner the labor expense can be more closely related to the duties performed.

Further, review of the Commission files indicates that after the public notice and mailing to affected patrons as described above, no protests have been received by the Commission. In a further consideration of applicant's request, it is apparent that there is no proposal to reduce the railroad services but rather to perform the present agency duties in a more efficient manner and with a saving in wage expense. The very short distance between the two stations and the availability of telephone communication to the agent when at either station certainly offers every opportunity for meeting the public need as demonstrated in this matter.

Hence, it appears now that further maintenance of a separate agent at Hartman and at Bristol cannot be rightfully justified from

any standpoint of public benefit or contribution to safe railroad operation. Therefore, since no protests appear in the files of the Commission, the Commission determined to hear, and has heard, said matter forthwith, and without further notice, upon the records and files herein.

### F I N D I N G S

#### THE COMMISSION FINDS:

That safe and economical railroad operation does not require the maintenance of a separate railroad agent at the stations of Hartman and Bristol, Colorado.

That the public convenience and necessity can be adequately served by one agent working part of each work day at each station. That the foregoing Statement, by reference, is made a part of these Findings.

That authority as sought in the instant application should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That Applicant, The Atchison, Topeka and Santa Fe Railway Company, be, and is hereby authorized, to withdraw the services of a separate railroad agent at the stations of Hartman and Bristol, Prowers County, Colorado.

That regular station services at Hartman and Bristol shall be maintained by one agent working part of each work day at each station.

That Santa Fe Railway will pay telephone toll charges for calls from the surrounding trade area to Hartman or Bristol relative to railroad business.

That in times of seasonal rush or excessive station activity, the working hours may be extended and/or extra manpower brought in and withdrawn as required, to meet the public needs.

That the Commission hereby retains jurisdiction to make such further Order, or Orders, as may be required in the instant matter.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph J. Negro  
Joseph C. Hobart  
Henry E. Sullivan  
Commissioners.

Dated at Denver, Colorado,  
this 3rd day of November, 1959.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
SHEELY MOTOR COMPANY (A CORPORATION), )  
326-330 SOUTH COLLEGE AVENUE, FORT )  
COLLINS, COLORADO. )  
----- )

PERMIT NO. M-14719

-----  
November 5, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Sheely Motor Company,  
(A Corporation) Fort Collins, Colorado  
requesting that Permit No. M-14719 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14719, heretofore issued to Sheely Motor Company  
(A Corporation) Fort Collins, Colorado be,  
and the same is hereby, declared cancelled effective September 1, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Henry E. Ziegler  
Commissioners

Dated at Denver, Colorado,

this 5th day of November, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

LEO UMPHENOUR, 910 SOUTH LOCUST  
STREET, DENVER 22, COLORADO.

PERMIT NO. M-2545

November 5, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Leo Umphenour,  
Denver 22, Colorado

requesting that Permit No. M-2545 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2545, heretofore issued to Leo Umphenour,  
Denver 22, Colorado be,

and the same is hereby, declared cancelled effective October 24, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
George C. Horton  
Wm. E. Zurling  
Commissioners

Dated at Denver, Colorado,

this 5th day of November, 195 9.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
JOHN F. ERDLEY AND HOWARD IRWIN )  
ERDLEY, DOING BUSINESS AS, "ERDLEY )  
HATCHERIES", WRAY, COLORADO. )  
----- )

PERMIT NO. M-4106

-----  
November 5, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from John F. Erdley and  
Howard Irwin Erdley, dba "Erdley Hatcheries", Wray, Colorado  
requesting that Permit No. M-4106 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4106, heretofore issued to John F. Erdley and  
Howard Irwin Erdley, dba "Erdley Hatcheries", Wray, Colorado be,  
and the same is hereby, declared cancelled effective October 15, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Samuel C. Horton  
Henry E. Zalkow  
Commissioners

Dated at Denver, Colorado,

this 5th day of November, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

HAROLD V. FARRENKOFF, DOING BUSINESS )  
AS, "THE ROLLING WAREHOUSE", 421 )  
PARRISH DRIVE, POCATELLO, IDAHO. )  
----- )

PERMIT NO. M-6799

-----  
November 5, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Harold V. Farrenkopf,  
doing business as, "The Rolling Warehouse", Pocatello, Idaho

requesting that Permit No. M-6799 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6799, heretofore issued to Harold V. Farrenkopf,  
doing business as, "The Rolling Warehouse", Pocatello, Idaho be,  
and the same is hereby, declared cancelled effective October 11, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph F. Negro*  
*Ralph C. Horton*  
*King E. Zallinger*  
Commissioners

Dated at Denver, Colorado,

this 5th day of November, 1959.

\*\*\*\*\*

PERMIT NO. M-7762

November 5, 1959

## STATEMENT

**By the Commission:**

The Commission is in receipt of a communication from Jim Nunn, Greeley,

requesting that Permit No. M-7762 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. M-7762, heretofore issued to Jim Nunn, Greeley,  
Colorado be,  
and the same is hereby, declared cancelled effective October 3, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Ralph C. Horton  
Henry E. Zurlungo  
Commissioners

Dated at Denver, Colorado,

this 5th day of November, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

MC WOOD CORPORATION, 364 PETROLEUM )  
BUILDING, ABILENE, TEXAS. )  
 )  
 )  
 )  
----- )

PERMIT NO. M-10157

-----  
November 5, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from McWood Corporation,  
Abilene, Texas

requesting that Permit No. M-10157 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10157, heretofore issued to McWood Corporation,  
Abilene, Texas be,  
and the same is hereby, declared cancelled effective October 1, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Frank C. Norton  
Henry E. Zerkow  
Commissioners

Dated at Denver, Colorado,

this 5th day of November, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
RICHARD H. WINTERS, DOING BUSINESS )  
AS, "JIFFY MIX", BUENA VISTA, COLO- )  
RADO. )  
----- )

PERMIT NO. M-14660

-----  
November 5, 1959  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Richard H. Winters,  
doing business as, "Jiffy Mix", Buena Vista, Colorado  
requesting that Permit No. M-14660 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14660, heretofore issued to Richard H. Winters,  
doing business as, "Jiffy Mix", Buena Vista, Colorado be,  
and the same is hereby, declared cancelled effective October 3, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Joseph C. Horton  
Wm. E. Zalkow  
Commissioners

Dated at Denver, Colorado,

this 5th day of November, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

EDWARD NOWICKI, DOING BUSINESS AS,  
"MOBILE APPLIANCE SERVICE", 37 EAST  
STREET, SECURITY VILLAGE, COLORADO  
SPRINGS, COLORADO.  
-----)

PERMIT NO. M-15923

-----  
November 5, 1959  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Edward Nowicki, doing  
business as, "Mobile Appliance Service", Colorado Springs, Colorado  
requesting that Permit No. M-15923 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15923, heretofore issued to Edward Nowicki, doing  
business as, "Mobile Appliance Service", Colorado Springs, Colorado be,  
and the same is hereby, declared cancelled effective October 11, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Wm. E. Zurling  
Commissioners

Dated at Denver, Colorado,

this 5th day of November, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
WILLIAM AND JOHN ADAIR, DOING BUSINESS )  
AS, "ADAIR BROTHERS", OLNEY SPRINGS, )  
COLORADO. )  
----- )

PERMIT NO. M-671

-----  
November 5, 1959  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from William and John  
Adair, doing business as, "Adair Brothers", Olney Springs, Colorado  
requesting that Permit No. M-671 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-671, heretofore issued to William and John Adair,  
doing business as, "Adair Brothers", Olney Springs, Colorado be,  
and the same is hereby, declared cancelled effective October 30, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Wm. E. Zerkow  
Commissioners

Dated at Denver, Colorado,

this 5th day of November, 195 9.

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
UNION RURAL ELECTRIC ASSOCIATION, )  
INC., BRIGHTON, COLORADO, FOR AU- )  
THORITY TO EXTEND FACILITIES IN ) APPLICATION NO. 17445-Extension  
THE NORTHEAST QUARTER OF SECTION )  
14, TOWNSHIP 1-SOUTH, RANGE 69-WEST.)  
----- )

-----  
November 4, 1959  
-----

S T A T E M E N T

By the Commission:

On October 20, 1959, Union Rural Electric Association, Inc., Brighton, Colorado, filed an application with this Commission for authority to extend its facilities to render electric service to serve T. H. Thompson, located in the Northeast Quarter of Section 14, Township 1-South, Range 69-West; which extension will involve the construction of approximately 1,200 feet of primary, single-phase line. The estimated cost of the construction is \$1,204.00.

This application was filed pursuant to the Commission's order in Application No. 13576 - Case No. 5108, Decision No. 47074, of January 7, 1957, which set forth the procedure for obtaining authority to extend facilities distances exceeding 300 feet in length. Applicant has elected by the instant application plan (b) of said Order, which provides for the Commission to issue the authority without a hearing if it so decides, and if there are no protests.

The Commission has examined the record and the files herein, and believes that this matter is one which can be decided without a formal hearing, and being fully informed in the matter, will issue its Order granting the construction as requested. The Commission has received a letter from the Public Service Company of Colorado, dated October 26, 1959, and a letter from Colorado Central Power Company, dated October 20, 1959, both of said letters, stating,



in effect, that the respective companies have no objection to the granting of the authority sought by the instant application.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the Commission is fully advised in the premises.

That the Applicant has complied with the Commission's Order in Decision No. 47074 previously referred to, and there being no objection by interested parties, the authority as requested should be issued without hearing.

That public convenience and necessity require the rendering of electric service to serve T. H. Thompson, located in the Northeast Quarter of Section 14, Township 1-South, Range 69-West; and that Union Rural Electric Association, Inc. should be authorized to render said service.

### O R D E R

#### THE COMMISSION ORDERS:

That Union Rural Electric Association, Inc., Brighton, Colorado, be, and it hereby is, granted a certificate of public convenience and necessity, to extend its facilities to serve T. H. Thompson, located in the Northeast Quarter of Section 14, Township-1-South, Range 69-West; all in accordance with the application for electric service signed by and between the parties, a copy of which was filed with the Commission in the instant matter, and which, by reference, is made a part hereof.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph F. Regis*  
*Robert C. Hobbs*  
*Clay E. Lugo*  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of November, 1959.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
FRANK L. COONEY AND LESTER J. )	
COONEY, CO-PARTNERS, 864 ROSE )	
STREET (P.O. BOX 203), CRAIG, )	APPLICATION NO. 17424-PP
COLORADO, FOR A CLASS "B" PERMIT )	
TO OPERATE AS A PRIVATE CARRIER )	
BY MOTOR VEHICLE FOR HIRE. )	
----- )	

-----  
November 4, 1959  
-----

Appearances: Frank L. Cooney, Craig,  
Colorado, for Applicants.

S T A T E M E N T

By the Commission:

Applicants herein seek authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of uranium, sand, gravel, and dirt, from point to point within a radius of one hundred miles of Craig, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Craig, Colorado, October 15, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On October 8, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of the Examiner states that at the hearing, Frank L. Cooney, one of applicants herein, testified in support of the application, stating applicants have sufficient equipment with which to carry on their proposed operations; that they have a net worth of

\$2,000; that they have received many requests for their proposed services.

No one appeared in opposition to the granting of authority herein sought.

The operating experience and financial responsibility of applicants were established to the satisfaction of the Commission.

It does not appear that applicants' proposed operations will impair the efficiency of any common carrier operating in the territory sought to be served by applicants.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That permit should issue to applicants herein, as set forth in the Order following.

### O R D E R

#### THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

That Frank L. Cooney and Lester J. Cooney, co-partners, Craig, Colorado, be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of uranium, sand, gravel, and dirt, from point to point within a radius of one hundred miles of 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 applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and have secured authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Kiger  
Ralph C. Holm  
Paul E. Zuley  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of November, 1959.

ea

reignal

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RICHARD B. GILBERT, BOX 7, HAYDEN, )  
COLORADO, FOR A CLASS "B" PERMIT )  
TO OPERATE AS A PRIVATE CARRIER BY ) APPLICATION NO. 17425-PP  
MOTOR VEHICLE FOR HIRE. )  
----- )

-----  
November 4, 1959  
-----

Appearances: Richard B. Gilbert, Hayden,  
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, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Court House, Craig, Colorado, October 15, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On October 8, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of the Commission, to

conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, Richard B. Gilbert testified in support of his application, stating he is the owner of two trucks; that he has a net worth of \$20,000; that he is presently operating under Temporary Authority issued by this Commission; that he has received numerous requests for his proposed service; that it is agreeable, if authority herein sought is granted, that transportation of road-surfacing materials be limited to the use of dump trucks.

No one appeared in opposition to the granting of authority herein sought, as limited by applicant's testimony.

The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

It does not appear that applicant's proposed operations will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein.

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

##### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That permit should issue to applicant herein, as set forth in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above Findings be, and the same hereby is, approved.

That Richard B. Gilbert, Hayden, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, transportation of road-surfacing materials to be limited to the use of dump trucks, 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 authority sheets.

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 F. Nigro*  
*Ralph C. Nelson*  
*Henry E. Salays*  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of November, 1959.  
ea

original

(Decision No. 53307)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
VANE GOLDEN, DOING BUSINESS AS )	
"GOLDEN TRANSFER," 311 KIMBARK )	
STREET, LONGMONT, COLORADO, FOR )	APPLICATION NO. 17444-Transfer
AUTHORITY TO TRANSFER PUC NO. 510 )	
AND PUC NO. 510-I TO GOLDEN TRANSFER )	
COMPANY, 311 KIMBARK STREET, LONG- )	
MONT, COLORADO. )	
-----	

-----  
November 4, 1959  
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Appearances: Leslie R. Kehl, Esq., Denver,  
Colorado, for Transferor  
and Transferee.

S T A T E M E N T

By the Commission:

Vane Golden, doing business as "Golden Transfer," Longmont,  
Colorado, is the owner and operator of PUC No. 510 and PUC No. 510-I,  
which authorizes:

freight, transfer, moving and general cartage  
business in the City of Longmont and County  
of Boulder, and for occasional service through-  
out the State;

transportation of passengers within the City of  
Longmont and to and from said City of Longmont,  
from and to points within a radius of 50 miles  
thereof, and intermediate points, subject to  
special limitations as specified, to-wit:

- (a) No sightseeing operations;
- (b) No operation between Denver and Longmont  
or Longmont and Denver, including inter-  
mediate points or between Longmont and  
Ft. Collins, or Ft. Collins and Longmont,  
including intermediate points, except  
during the period of each day when  
scheduled bus operations have ceased;
- (c) No operation between Longmont and Estes  
Park and intermediate points, except  
when regular service has ceased for the  
day;



- (d) No office maintained for this extension except at Longmont;
- (e) Rates of not less than 10¢ per passenger mile in "plains" territory with a minimum of 7½¢ per car mile and not less than 15¢ per passenger mile in mountain territory with a minimum of 10¢ per car mile provided all trips for a destination in mountain territory shall take the mountain rate; plains and mountain territory shall be as described in Case No. 1585;

Interstate authority issued: Between all points in Colorado and the Colorado State Boundary lines where all highways cross same in interstate commerce only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

By the instant application, said certificate-holder seeks authority to transfer said PUC No. 510 and PUC No. 510-I to Golden Transfer Company, Longmont, Colorado.

Said operation, 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, October 29, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

Vane Golden, the Applicant, testified in support of the application to the effect and as follows: that he operated the Golden Transfer as an individual and held Certificates Nos. 510 and 510-I; that he is President of the transferor corporation; that the same equipment as listed with the Commission will be transferred; that the transferor has no debts; that the financial statement filed with the Commission is still true and accurate as of this date and that the transferee has net assets of \$30,000; that the Interstate Commerce Commission has approved the transfer of Certificate No. 510-I; that it is desired by both transferor and transferee, if the application for transfer be granted, that the effective date of the transfer be as of January 1, 1960.

No one appeared in opposition to the proposed transfer,

and no reason appears why the same should not be granted.

The operating experience and financial responsibility of transferee were established to the satisfaction of the Commission.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any, and the effective date of the transfer should be as of January 1, 1960.

### O R D E R

#### THE COMMISSION ORDERS:

That Vane Golden, doing business as "Golden Transfer, Longmont, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 510 and PUC No. 510-I -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Golden Transfer Company, Longmont, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured, said transfer to become effective as of January 1, 1960.

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

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 the Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

The tariff of rates, rules, and regulations of transferor shall, upon proper adoption notice, 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.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Joseph F. Myers  
Harvey C. Holden  
Samuel E. Paulsen  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of November, 1959.

mls

reynal  
(Decision No. 53308)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
T. J. BIGBEE, 405 PEARL STREET, )  
BOULDER, COLORADO, FOR AUTHORITY TO )  
TRANSFER PUC NO. 3327 TO T. J. BIG- )  
BEE AND JERRY BIGBEE, CO-PARTNERS, )  
DOING BUSINESS AS "T. J. BIGBEE AND )  
SON," 406 18TH, GREELEY, COLORADO. )  
-----

APPLICATION NO. 16893-Transfer  
SUPPLEMENTAL ORDER

-----  
November 4, 1959  
-----

Appearances: T. J. Bigbee, Boulder,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

Heretofore, by Decision No. 51923, of date March 20, 1959,  
the Commission authorized T. J. Bigbee, Boulder, Colorado, to trans-  
fer PUC No. 3327 to T. J. Bigbee and Jerry Bigbee, co-partners, doing  
business as "T. J. Bigbee and Son," Greeley, Colorado.

The requirements which are a condition precedent to trans-  
fer of said PUC No. 3327 upon our records were never complied with,  
and the records of the Commission show that said operating rights are  
the property of T. J. Bigbee, Boulder, Colorado.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 51923, of date March 20, 1959, entered by  
the Commission in Application No. 16893 should be set aside, and the  
records of the Commission show that T. J. Bigbee, Boulder, Colorado,  
is the owner of said PUC No. 3327.

O R D E R

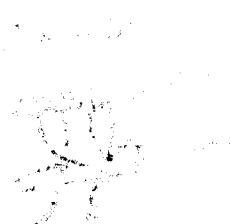
THE COMMISSION ORDERS:

That Decision No. 51923, of date March 20, 1959, authorizing

transfer of PUC No. 3327 from T. J. Bigbee, Boulder, Colorado, to T. J. Bigbee and Jerry Bigbee, co-partners, doing business as "T. J. Bigbee and Son," Greeley, Colorado, be, and the same hereby is, set aside, vacated, and held for naught, and the Secretary of the Commission is hereby directed to change the records of the Commission to show that said T. J. Bigbee is the owner of said PUC No. 3327.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Joseph F. Hegie  
Stephen C. Hoban  
Henry E. Zulawski  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of November, 1959.

mls

original

(Decision No. 53309)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
PAUL D. RAYNOR, GENERAL DELIVERY, )	
GRANBY, COLORADO, FOR A CLASS "B" )	
PERMIT TO OPERATE AS A PRIVATE CAR- )	APPLICATION NO. 17422-PP
RIER BY MOTOR VEHICLE FOR HIRE. )	
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-----  
November 4, 1959  
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Appearances: Paul D. Raynor, Granby,  
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 logs and poles, from forests in the vicinity of Willow Creek, Colorado, to sawmills at Granby, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Hot Sulphur Springs, Colorado, October 14, 1959, at one o'clock P. M., due notice thereof being forwarded to all parties in interest.

On October 8, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of the Examiner states that at the hearing, applicant appeared and testified in support of his application, stating he has sufficient and suitable equipment to carry on his proposed

operations; that he is presently operating under Temporary Authority issued by this Commission; that he has received numerous requests for his proposed services.

No one appeared in opposition to the granting of authority herein sought.

The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

It does not appear that applicant's proposed operations will impair the efficiency of any common carrier service operating in the territory sought to be served by Applicant.

Report of the Examiner recommends that permit issue to Applicant herein.

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

##### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That permit should issue to applicant herein, as set forth in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above Findings be, and the same hereby is, approved.

That Paul D. Raynor, Granby, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the vicinity of Willow Creek, Colorado, to sawmills at Granby, 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 authority sheets.

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

*Joseph F. Kyrle*  
*Raymond C. Holton*  
*Samuel J. Sullivan*  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of November, 1959.

mls



original

(Decision No. 53310)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE OPERATIONS OF ROCK CREEK LAND )  
COMPANY, 203 COLORADO COMMERCIAL )  
AND SAVINGS BANK BUILDING, COLO- )  
RADO SPRINGS, COLORADO. )  
----- )

CASE NO. 5174

-----  
November 4, 1959  
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S T A T E M E N T

By the Commission:

IT APPEARING TO THE COMMISSION that Rock Creek Land Company, located in the vicinity of West Carson Trailer City, in El Paso County, Colorado, a water corporation, has been, and is, supplying the public for domestic and public uses, within the State of Colorado, in that said Company has constructed pipelines, offered water for sale, and contracted with residents of an area now known as "West Carson Trailer City," in El Paso County, Colorado, to furnish an unlimited and unmetered supply of pure water for ninety-nine years; to install five hydrants throughout the area where the homes of consumers are located, and to provide said hydrants with water service; to maintain adequate water pressure; to maintain a water storage tank; to run adequate mains and water lines to homes, and to connect said lines to residential plumbing, and to generally furnish a satisfactory water system for the continued supply, on the basis of a \$500 payment per home for installation of said service, together with a monthly charge of \$3.03.

It further appears that said Rock Creek Land Company is privately owned, has offered to render said service indiscriminately in the area that it serves, and that said Rock Creek Land Company is neither a municipality nor a cooperative, as defined by the statutes of the State of Colorado.

IT FURTHER APPEARING TO THE COMMISSION that said Rock Creek Land Company does not have a certificate of public convenience and necessity from this Commission, nor has it in any other way complied with the Public Utility Act of the State of Colorado, being Chapter 115, Colorado Revised Statutes, 1953.

Pursuant to said Act, it is the duty of this Commission to regulate all public utilities in the State of Colorado.

Complaint by over twenty-five customers of Rock Creek Land Company has been filed with the Commission regarding the activities of said company, its rates and services, and the Commission, pursuant to said Complaint, has made a thorough investigation of said Rock Creek Land Company, and it is of the opinion that this Commission should make an Order, on its own motion, providing for an investigation into the operations of said Rock Creek Land Company within the State of Colorado, for the purpose of determining whether or not said company is a public utility, engaged in the distribution of water for domestic or public use, as defined by Chapter 115 of the Public Utility Act, Colorado Revised Statutes, 1953, or is doing any acts, authority for which is required under the laws of the State of Colorado and which must be procured from this Commission.

The Commission is of the further opinion that said company should be required to show cause why an order should not be made, finding it to be engaged in distributing and selling water as a public utility, and why any other and further appropriate Orders should not be made as a result of its engaging in any conduct in this State which may be unlawful, without a certificate of public convenience and necessity issued by The Public Utilities Commission of the State of Colorado, and in full compliance with the Public Utility Act of the State of Colorado and the rules and regulations of this Commission.

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

##### THE COMMISSION FINDS:

That the above and foregoing Statement, by reference, is made a part of these Findings.

O R D E R

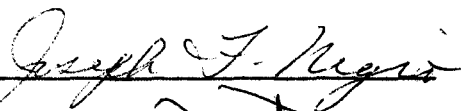
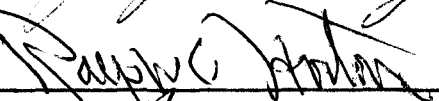
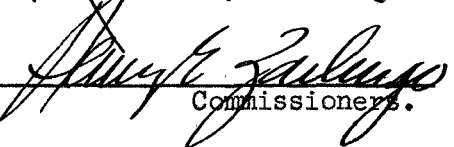
THE COMMISSION ORDERS:

That the Commission, on its own motion, investigate the acts and operations in the State of Colorado of Rock Creek Land Company, for the purpose of determining whether or not said Company is engaged in distributing and selling water in the State, and whether or not it has done, or is doing, anything which is unlawful by reason of its failure to procure a certificate of public convenience and necessity.

That said Rock Creek Land Company be, and the same hereby is, required to show cause, by written answer to be filed with this Commission on or before the 24th day of November, 1959, why an Order should not be made requiring it to cease and desist from distributing and selling water in intrastate commerce within the State of Colorado until and unless it shall have procured a certificate of public convenience and necessity therefor, and why the Commission should not make any other appropriate orders with respect to said Company as a result of said Company doing, or having done, any acts in the State, the doing of which is unlawful without a certificate of public convenience and necessity.

That this case should be set for hearing at a time and place hereafter to be decided upon by the Commission.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of November, 1959.

ea

original

(Decision No. 53311)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CLARENCE DALE SIMPSON AND GEORGE )  
EARL SIMPSON, CO-PARTNERS, DOING )  
BUSINESS AS "SIMPSON BROTHERS," 430 ) APPLICATION NO. 17173-PP-Extension  
SCHOOL STREET, CRAIG, COLORADO, FOR )  
AUTHORITY TO EXTEND OPERATIONS UNDER )  
PERMIT NO. B-5822. )  
-----)

-----  
November 4, 1959  
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Appearances: Clarence Dale Simpson, Craig,  
Colorado, for Applicants.

S T A T E M E N T

By the Commission:

Applicants herein are presently the owners and operators  
of Permit No. B-5822, authorizing operation as a private carrier  
by motor vehicle for hire, for the transportation of:

sand, gravel, and other road-surfacing materials  
used in the construction of roads and highways,  
from pits and supply points in the State of Colo-  
rado, to road jobs, mixer and processing plants  
within a radius of fifty miles of said pits and  
supply points; sand and gravel, from pits and  
supply points in the State of Colorado, to rail-  
road loading points, and to homes and small con-  
struction jobs within a radius of fifty miles of  
said pits and supply points; sand, gravel, dirt,  
stone, and refuse, from and to building construc-  
tion jobs, to and from points within a radius of  
fifty miles of said jobs; insulrock, from pits  
and supply points in the State of Colorado, to  
roofing jobs within a radius of fifty miles of  
said pits and supply points; coal, from mines  
within a radius of forty miles of Craig, Colorado,  
to points within said forty-mile radius, trans-  
portation of road-surfacing materials to be  
limited to the use of dump trucks, only.

By the above-styled application, said permit-holders seek  
authority to extend operations under said Permit No. B-5822, to  
include the right to transport uranium ore, from Little Star Mine,  
in Moffat County, north of Highway No. 40, to mills in Maybell,  
Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Craig, Colorado, October 15, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On October 8, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, Clarence Dale Simpson, one of applicants herein, appeared in support of the application, stating they are now engaged in transportation of uranium ore, under Temporary Authority issued by this Commission; that applicants own sufficient and suitable equipment with which to conduct their proposed operations; that they have a net worth of \$10,000; that they have received numerous requests for their proposed extended operations.

No one appeared in opposition to the granting of authority herein sought.

The operating experience and financial responsibility of applicants were established to the satisfaction of the Commission.

It does not appear that applicants' proposed extended operations will impair the efficiency of any common carrier operating in the territory herein sought to be served by applicants.

Report of the Examiner recommends that authority herein sought be granted.

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

##### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That applicants herein should be authorized to extend operations under Permit No. B-5822, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above Findings be, and the same hereby is, approved.

That Clarence Dale Simpson and George Earl Simpson, co-partners, doing business as "Simpson Brothers," Craig, Colorado, be, and they hereby are, authorized to extend operations under Permit No. B-5822, to include the right to transport uranium ore, from Little Star Mine, in Moffat County, north of Highway No. 40, to mills in Maybell, 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

*[Faint signature and stamp]*

*Joseph F. Kizior*  
*Raymond H. Hoken*  
*James H. Hoken*  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of November, 1959.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ED RUTT, 1099 BUSH STREET, BRIGHTON, )  
COLORADO, FOR A CERTIFICATE OF PUB- )  
LIC CONVENIENCE AND NECESSITY TO ) APPLICATION NO. 16996  
OPERATE AS A COMMON CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
----- )

IN THE MATTER OF THE APPLICATION OF )  
ED RUTT AND EVELYN D. RUTT, AS )  
JOINT TENANTS, 1099 BUSH STREET, ) APPLICATION NO. 16997-PP-Extension  
BRIGHTON, COLORADO, FOR AUTHORITY )  
TO EXTEND OPERATIONS UNDER PERMIT )  
NO. B-539. )  
----- )

-----  
November 4, 1959  
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Appearances: E. B. Evans, Esq., Denver,  
Colorado, for Applicants;  
Paul M. Hupp, Esq., Denver,  
Colorado, for Protestant,  
Colorado Milk Transport.

S T A T E M E N T

By the Commission:

By Application No. 16996, Ed Rutt, Brighton, Colorado,  
seeks a certificate of public convenience and necessity, author-  
izing operation as a common carrier by motor vehicle for hire,  
for the transportation of milk and cream, in bulk or in cans,  
from farms located within a radius of eight miles of the inter-  
section of Fourth Street and Bridge Street, Brighton, Colorado,  
to Brighton, Colorado, or to Denver, Colorado, and points within  
a five-mile radius thereof, and for the transportation of empty  
containers on the return movement.

By Application No. 16997-PP, Ed Rutt and Evelyn D. Rutt,  
Brighton, Colorado, seek authority to add additional customers to  
their customer list under Permit No. B-539.

Said applications were set for hearing, and heard,  
April 23, 1959, at Brighton, Colorado, and were later set for

continued hearing on May 8, 1959, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, at which time and place said matters were heard and taken under advisement, said applications, by stipulation, having been consolidated for the purpose of holding hearing thereon.

The evidence adduced on behalf of applicants consisted of the testimony of a number of milk producers in what we shall call, for purposes of this hearing, the "Brighton Area."

All of the witnesses conceded that Colorado Milk Transport, protestant, is authorized to render service in the area. The applicant, however, is well known to them, either by reputation, by virtue of the service he has rendered under existing private carrier authority, or by virtue of service rendered to the witnesses under a contract agreement approved by this Commission which was broader than his existing authority.

Most of the testimony adduced to establish public convenience and necessity was directed at the inadequacy of the existing service of Protestant Colorado Milk Transport. It developed that the attorney for Colorado Milk Transport had directed letters to several of the producers wherein he stated, in substance, that Colorado Milk Transport would no longer haul the milk of that producer to the Sunset Dairy in Denver, Colorado, and that this action was taken after consultation with the staff of the Public Utilities Commission, for the reason trucks of Colorado Milk Transport could not successfully negotiate the alley to deliver the milk to Sunset without creating a dangerous traffic hazard because of the narrowness of the alley, and because of the fact that, of necessity, they had to back out of the alley to on-coming traffic.

After this incident, the Sunset Dairy did arrange to have the milk hauled for the producers, but at least in one instance, one of the producers shifted his sale of milk to a different purchaser, which resulted in a substantial loss of price.



Other complaints regarding the existing service of Colorado Milk Transport were directed at delay in picking up the milk for several hours, and that this delay occasioned the heating of the milk, which increased the bacteria content and deprived the producer of his bonus. One of the complaints involved a delay of three days.

Other complaints were to the effect that the producers require their milk picked up at an earlier time, or that the service offered by the existing carrier was not sufficiently personalized, such as the use of measurement sticks for the milk, or the rinsing of tanks. The desire for earlier pick-ups obviously was directed to keeping the milk cooler, which would reduce the bacteria count upon delivery to the dairies.

Others who did not include the above complaints felt that they did not receive the personal considerations in the hauling of their milk, or that it was spilled or poorly handled, and that the driver for protestant existing carrier, who had to come from Fort Collins, did not have the time to perform the personalized service required by the producers.

In one instance, there was a complaint of loss of milk by the turning off of an electric switch-operating facilities to keep the milk cool. This could not be attributed, however, with any certainty, to the driver for Colorado Milk Transport.

Applicant himself established his training, experience, and financial responsibility to perform either of the services sought under either application. He propounded the theory, along with other producer witnesses, that additional common carriage in competition would provide better service.

At the conclusion of the applicant's case, the protestant moved to strike certain customers from the Customer List of applicant, and the elimination of Fort Lupton as a point of destination. Applicant, through his counsel, stipulated that Fort Lupton could be eliminated as a point of destination.

The application was vigorously protested by Colorado Milk Transport, who operates in the same territory sought to be served by applicant. It sought to reply to the charges of inadequate service, specifically. It was asserted that the hauls to Sunset Dairy were discontinued because its trucks had to back out of the alley, which had resulted in two wrecks, and because the driver's actions in backing out of the alley violated city ordinances.

With regard to delay, the protestant disputed the fact that three or four hours would, in any way, interfere with the temperature of the milk, if the milk was in a properly-cooled condition when originally picked up, since the protestant's trucks are properly insulated to keep the milk at proper temperature for a period of eight hours in cans, and for a longer period in bulk.

On one occasion, in which the protestant was charged with failure to pick up, and refusing to pick up milk, the excuse was advanced that by virtue of a storm, it was impossible to get to the producer's farm.

On other complaints that involved improper handling and high bacteria count, the protestant asserted that the complainants had not properly cooled the milk prior to pick-up time.

Protestant also produced evidence from producer witnesses, who testified that the existing common carrier service was very satisfactory.

Additional general testimony was adduced to establish the sufficiency of equipment and facilities of the protestant. The protestant is a large common carrier of milk, primarily in bulk, which runs on a regular schedule in the Northern Colorado area.

In the determination of the issues joined by the two applications, we treat first those dealing with the application for common carrier service.

The entire case for the applicant is founded upon inadequacy of existing service, based upon the refusal of the Colorado

Milk Transport to haul to Sunset Dairy for handling, and personality conflict.

We do not believe that the refusal to haul to Sunset Dairy constituted violation of the existing carrier's public utility duties, since this refusal was occasioned by the physical condition of the premises to which it had to deliver, and which had resulted in several accidents and the method of delivery violated city ordinances.

While it has been stated repeatedly by this Commission and other authorities that there is an unequivocal obligation on the part of public utilities to serve, nevertheless that obligation is qualified by a rule of reasonableness. In the instant case, it is our opinion that the protestant's refusal to make deliveries to Sunset Dairy was reasonable.

The other complaints against Colorado Milk Transport's service leave much to be desired in establishing a pattern having probative value of inadequate existing service. Many of the witnesses expressed their admiration for the applicant and preference for a competitive situation, and complained of personality conflicts with officials of the protestant existing carrier.

In examining the substance of these complaints against Colorado Milk Transport, we again find a failure of proof in establishing inadequacy of existing service under the public utility concept. We have previously stated that the unequivocal obligations of a public utility are qualified by a rule of reasonableness. Complaints on the handling of milk were principally based upon matters of personal convenience. Obviously, a utility cannot adjust its operation to suit the personal convenience of all its customers. Such a demand would be wholly unreasonable, would be wasteful economically, and would require a seizure of private property to serve the public, or would result in a transportation cost that was wholly unrealistic.

Although the convenience of the producer witnesses may have been established, there was a failure of proof of necessity. Our interpretation of the public utility law of Colorado requires the establishment of public convenience and necessity. These requirements being in the conjunctive, clearly delineate the conditions precedent to the granting of a certificate. Both elements must be present, otherwise there is a failure of proof of a prima facie case.

Again, complaints point to isolated incidents which were explained by weather, or personal desires of the producer, and did not weave a pattern of inadequacy of service to the public by the protestant existing carrier.

In view of our conclusions on this application, we shall hereinafter, by appropriate order, deny the application for common carrier authority.

Addressing ourselves to the application for private carrier authority, the situation is radically different. The testimony of the producers which was inadequate to prove the need for a common carrier is in effect strong evidence for the need of a private carrier.

Many of the producers now haul their own milk. Most of the producer witnesses ship their milk in cans. Their schedules do not coincide with the schedules of Colorado Milk Transport to enable them conveniently to cool their milk. They desire other personalized services, such as rinsing of tanks, measuring of milk, or hauling to dairies where smaller equipment may more properly and efficiently perform the service.

All of the producer witnesses were eloquent in their support of the applicant's abilities to render the personalized service they were seeking. The need for this personalized service was clearly established. As to whether or not the addition of these customers to his Customer List would impair the efficient public service of an existing common carrier, we need but to look at the facts that Colorado Milk Transport is a large hauler, operating throughout

Northern Colorado, having hundreds of customers, whose primary method of hauling is in bulk. The fact remains that many of the applicant's proposed customers haul their own milk. It is our conclusion, from the evidence, that the granting of additional customers will not, in any way, impair the efficient public service of the existing common carrier. We shall hereinafter enter an order authorizing the addition of the customers enumerated in the application to be added to applicant's Customer List.

In so doing, we are aware of the fact that the applicant has been confined to a base territory that some of these customers may live beyond the border of that base territory. This case is, we trust, the final disposition of a long and running battle between the contesting carriers before us now. We fully understand and realize that there are many personality factors involved, in addition to the pure legal questions under the Public Utility Act. We also realize that many of these customers who are beyond the base territory of applicant were served by the applicant under a mistaken belief that he had the right to serve them under the authority of a contract that had been approved by this Commission. Upon order of the Commission to cease service, the applicant promptly complied.

In order to eliminate these ambiguities that have grown up over a period of some twenty-five years, and considering the need of the customers and the evidence that fulfills the requirements of the Public Utility Act of Colorado, we are granting authority to the applicant to add customers requested, even though they may be beyond his base territory. We do so, however, with the admonition that this is not to be construed as a carte blanche authority for the applicant to solicit additional customers beyond his base territory and seek their addition to his customer list. In the future, such additions shall be confined to the base territory.

In our prior order, being Decision No. 51347, of date December 4, 1958, we delineated the base territory for applicant under Permit No. B-539. It now appears that there has been a typo-

graphical error in the description. We are herein correcting said description of said base territory, nunc pro tunc.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference.

That public convenience and necessity do not require applicant's proposed common carrier service sought in Application No. 16996, and that said Application No. 16996 should therefore be denied.

That Ed Rutt and Evelyn D. Rutt, as joint tenants, Brighton, Colorado, owners and operators of Permit No. B-539, should be authorized to add additional customers to their customer list, as set forth in the Order following, and that the base area of said permit-holders under said Permit No. B-539 should be corrected and clarified, as set forth in the Order following.

### O R D E R

#### THE COMMISSION ORDERS:

That Application No. 16996 be, and the same hereby is, denied.

That Ed Rutt and Evelyn D. Rutt, as joint tenants, Brighton, Colorado, be, and they hereby are, authorized to extend operations under Permit No. B-539, to include the right to serve additional customers, viz.:

John Delventhal  
Jack Speers  
Bob Trostel  
Keith Delventhal  
Lester Heitman  
Leroy Delventhal  
Mickey Edstrom  
John Case  
Pete Case  
Alvin A. Layton  
Sam Chikuma  
Harry L. Hill and  
Clyde W. Miller,

and to transport milk from any of such customers to Denver or Brighton, Colorado, and to transport empty containers on the return movement.

That this Order is made part of the permit granted to applicant.

That the base area to be served by said permittees under said Permit No. B-539 is hereby corrected and clarified to be as follows:

Starting at a point on the old U. S. Highway No. 85 located  $1\frac{1}{2}$  miles south from Fort Lupton and being the NE corner of Sec. 18, T. 1 N., R. 66 W.; thence westerly 6 miles to the NW corner Sec. 17, T. 1 N., R. 67-W.; thence south 1 mile; thence west 2 miles to the NE corner Sec. 23, T. 1. N., R. 68-W., at which point service may be rendered outside the instant territory to Mickey Edstrom, who lives in Section 23; thence south 3 miles to the Base Line Road at the NW corner Sec. 1, T. 1 S., R. 68-W., and continuing directly south 12 miles through Welby and across Clear Creek to the SW corner Sec. 36, T. 2 S., R. 68-W.; thence directly east 8 miles through Derby to the SE corner Sec. 31, T. 2 S., R. 66-W.; thence directly north some  $16\frac{1}{2}$  miles to the point of beginning, including service within the City of Brighton and to Ben Knoll, who lives outside the area in Section 20, T. 1 N., R. 66-W., at some 2 miles south of the point of beginning, and to and from said area, to and from Fort Lupton, Brighton, and Denver, Colorado, including points within a radius of 5 miles of Denver, and occasional trips for customers residing in the Brighton milk area, between Greeley and Castle Rock and intermediate points on U. S. Highway No. 85.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nizio  
Barney Stotter  
Henry Garbino  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of November, 1959.

ea

original

(Decision No. 53313)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LEEMON D. REAM, SR., AND LEEMAN D. )  
REAM, JR., CO-PARTNERS, DOING BUSI- )  
NESS AS "LEEMON D. REAM & SON," BOX )  
357, CRAIG, COLORADO, FOR A CLASS )  
"B" PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 17426-PP

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November 5, 1959  
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Appearances: Leemon D. Ream, Jr., Craig,  
Colorado, for Applicants.

S T A T E M E N T

By the Commission:

Applicants herein seek authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs and timber, via Black Mountain County Road to Colorado Highway No. 13, north of Craig, Colorado, then via Colorado Highway No. 13 to Craig, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Craig, Colorado, October 15, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On October 8, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, Leeman



D. Ream, Jr., one of applicants herein, testified in support of the application, stating that he and his father, Leeman D. Ream, Sr., applicants herein, have sufficient equipment with which to conduct their proposed operation; that they have a net worth of \$30,000; that they have received numerous requests for their proposed operations.

No one appeared in opposition to the granting of authority sought.

The operating experience and financial responsibility of applicants were established to the satisfaction of the Commission.

It does not appear that applicant's proposed operations will impair the efficiency of any common carrier service operating in the territory sought to be served by applicants.

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

##### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That permit should issue to applicants herein, as set forth in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

That Leeman D. Ream, Sr., and Leeman D. Ream, Jr., co-partners, doing business as "Leeman D. Ream & Son," Craig, Colorado, be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs and timber, via Black Mountain County Road to Colorado Highway No. 13, north of Craig, Colorado, then via Colorado Highway No. 13 to Craig, Colorado.

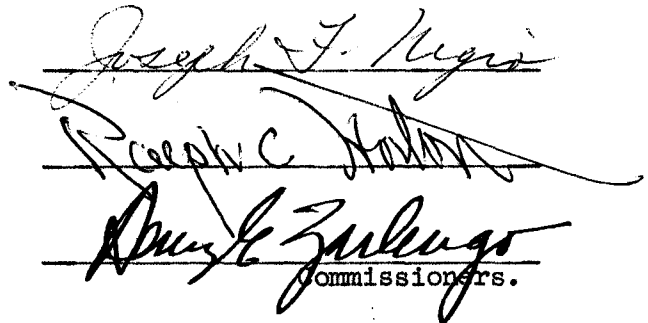
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and have secured authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of November, 1959.

mls

original

(Decision No. 53314)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GEORGE P. SANBORN, BOX 923, CRAIG, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 17427-PP

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November 5, 1959  
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Appearances: Paula J. Sanborn, Craig,  
Colorado, for Applicant.

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 rough lumber and logs, from sawmills or forests, to railroad loading points within a radius of fifty miles of Hayden, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Craig, Colorado, October 15, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On October 8, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the time and place of hearing, Mrs. Paula J. Sanborn, wife of applicant herein, appeared and testified in support of the application, stating her husband was

unable to appear at the hearing; that he has suitable and sufficient equipment with which to conduct his proposed operations; that he is presently operating under Temporary Authority issued by this Commission; that he has sufficient net worth to conduct his proposed operations; that he has received numerous requests for said proposed services.

No one appeared in opposition to the granting of authority herein sought.

The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

It does not appear that applicant's proposed operations will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that authority herein sought be granted.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That permit should issue to applicant herein, as set forth in the Order following.

### O R D E R

#### THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

That George P. Sanborn, Craig, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of rough lumber and logs, from sawmills or forests, to railroad loading points, within a radius of

fifty miles of Hayden, 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 authority sheets.

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

*Joseph F. Nevin*  
*Ralph C. Hodges*  
*Dennis E. Zaulings*  
Commissioners

Dated at Denver, Colorado,  
this 5th day of November, 1959.

mls

original

(Decision No. 53315)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DWIGHT MILLER, BOX 1, HIDEAWAY PARK, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 17421-PP

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November 5, 1959  
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Appearances: Dwight Miller, Hideaway  
Park, 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, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Court House, Hot Sulphur Springs, Colorado, October 14, 1959, at one o'clock P. M., due notice thereof being forwarded to all parties in interest.

On October 8, 1959, the Commission, as provided by law,

designated Edwin R. Lundborg, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that Jones and Meiklejohn, Attorneys for Denver Chicago Transport Company, Inc., filed a written protest with the Commission, but further stating there would be no such protest to the granting of authority herein sought, if such transportation of road-surfacing materials were restricted against the use of tank trucks.

Report of the Examiner further states that applicant appeared at the hearing in support of his application, and testified he has sufficient and suitable equipment with which to conduct his proposed operations; that he has a net worth of \$150,000; that he is presently operating under Temporary Authority granted by the Commission; that he has received numerous requests for his proposed services; that he is agreeable that he not be permitted to use tank trucks in transportation of road-surfacing materials.

No one appeared at the hearing in protest to the granting of authority herein sought, as limited by applicant's testimony.

The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

It does not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein, as set forth in the Order following.

## F I N D I N G S

### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That permit should issue to applicant herein, as set forth in the Order following.

## O R D E R

### THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above Findings be, and the same hereby is, approved.

That Dwight Miller, Hideaway Park, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank trucks.

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


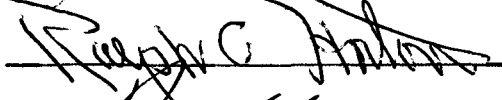



his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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 5th day of November, 1959.

mls

original

(Decision No. 53316)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RONALD EGGER, P. O. BOX 149, )  
KREMMLING, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 17420-PP

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November 5, 1959  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs and poles, within the State of Colorado, from forests and sawmills, to sawmills and railroad loading points within a radius of one hundred miles of said forests.

Said application was regularly set for hearing before the Commission, at the Court House, Hot Sulphur Springs, Colorado, October 14, 1959, at one o'clock P. M., due notice thereof being forwarded to all parties in interest.

On October 8, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of the Commission, to conduct the hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of said Examiner states that at the time and place designated for hearing, applicant failed to appear, either in person or by counsel.

Thereupon, the files were made a part of the record, and the matter was heard and taken under advisement.

Report of the Examiner further states that the files of the

Commission disclose that applicant is qualified, financially, and by experience, to conduct his proposed operations; that he is presently operating under Temporary Authority issued by the Commission; that applicant has made proper insurance filing with the Commission.

No one appeared in opposition to the granting of authority herein sought.

The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

It does not appear that applicant's proposed operations will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That permit should issue to applicant herein, as set forth in the Order following.

### O R D E R

#### THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

That Ronald Egger, Kremmling, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs and poles, within the State of Colorado, from forests and sawmills, to sawmills and railroad loading points within a radius of one hundred miles of said forests.

That all operations hereunder shall be strictly contract

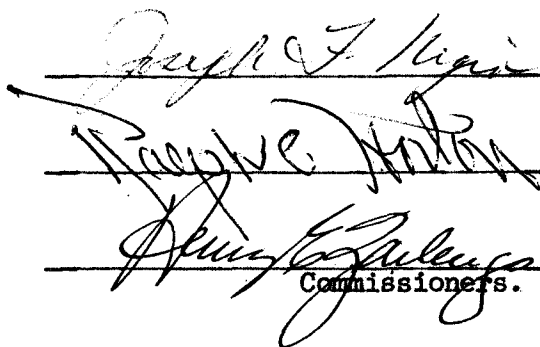
operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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 5th day of November, 1959.

mls

original

(Decision No. 53317)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DAVID R. GOODLOE, 2500 WEST 56TH )  
AVENUE, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION NO. 17462-PP

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November 5, 1959  
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S T A T E M E N T

By the Commission:

By the above-styled application, applicant herein sought 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 used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

The Commission is now in receipt of a communication from applicant herein, stating he no longer desires to prosecute said application, and requesting dismissal thereof.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

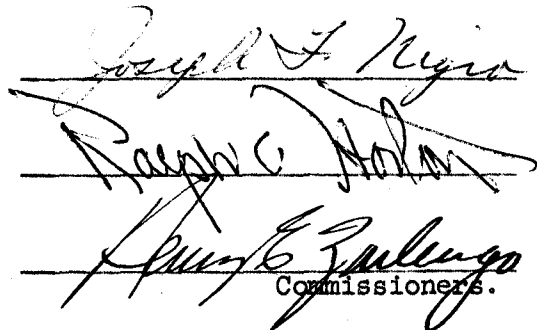
O R D E R

THE COMMISSION ORDERS:

That Application No. 17462-PP be, and the same hereby is,  
dismissed, upon 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 5th day of November, 1959.

mls

original

(Decision No. 53318)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MICHAEL J. LICATA, DOING BUSINESS )  
AS "SPIC & SPAN JANITOR SERVICE," )  
1901 WEST ELK PLACE, DENVER, COLO- )  
RADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 17412-PP

-----  
November 5, 1959  
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Appearances: Michael J Licata, Denver,  
Colorado, pro se;  
Robert E. McLean, Esq.,  
Denver, Colorado, for  
Associated Rubbish Re-  
moval Association.

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 ashes, trash, and other waste materials, between points within the City and County of Denver, Colorado, and from points within the City and County of Denver, Colorado, to regularly-designated and approved dumps and disposal places within the Counties of Adams, Arapahoe and Jefferson, State of Colorado.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, October 9, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On October 8, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in

the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant herein appeared in support of his application, stating he is owner and operator of Spic & Span Janitor Service; that in connection with such janitorial service, Elitch Gardens and Regis College have requested him to remove and dispose of trash; that he has sufficient equipment to perform said services; that he has a net worth of \$20,000; that he is presently operating under Temporary Authority issued by this Commission; that he agrees to serve Elitch's Gardens and Regis College, only.

No one appeared in opposition to the granting of authority herein sought, as limited by applicant's testimony.

Father Henry P. Hecken, a teacher at Regis College, appeared and testified in support of the instant application, stating it was more convenient to have the person performing the janitorial service remove the ashes, trash, and other debris; that applicant was well qualified, and the College was well satisfied with his services.

The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

It does not appear that applicant's proposed services, as hereinafter limited, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein, as set forth in the Order following.

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

##### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a



part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above Findings be, and the same hereby is, approved.

That Michael J. Licata, doing business as "Spic & Span Janitor Service," Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of ashes, trash, and other waste materials, between points within the City and County of Denver, Colorado, and from points and places within the City and County of Denver, Colorado, to regularly-designated and approved dumps and disposal places within the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, for Elitch's Gardens and Regis College, only.

That all operations hereunder shall be strictly contact 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 authority sheets.

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 F. Rign*  
*W. C. Norton*  
*Ray E. Arango*  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of November, 1959.  
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CARL HENDRIX, 1417 CANNON, LOUIS- )  
VILLE, COLORADO, FOR AUTHORITY TO ) APPLICATION NO. 17411-PP-Extension  
EXTEND OPERATIONS UNDER PERMIT NO. )  
B-4901. )  
----- )

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November 5, 1959  
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Appearances: Carl Hendrix, Louisville,  
Colorado, pro se;  
Robert E. McLean, Esq.,  
Denver, Colorado, for  
W. J. Weber, Ruben Graff,  
Associated Rubbish  
Removal Association.

S T A T E M E N T

By the Commission:

Applicant herein is the owner and operator of Permit  
No. B-4901, authorizing:

transportation of coal, from mines in the  
Northern Colorado coal fields, to Louisville,  
Colorado.

By the instant application, said permit-holder seeks  
authority to extend operations under said Permit No. B-4901, to  
include the right to transport ashes, trash, and other waste  
materials, from point to point within the Town of Louisville,  
Colorado, and to any authroized dump or place of disposal within  
a ten-mile radius of said Town of Louisville, Colorado.

Said application was regularly set for hearing before the  
Commission, at the Hearing Room of the Commission, 330 State Office  
Building, Denver, Colorado, October 9, 1959, at ten o'clock A. M.,  
due notice thereof being forwarded to all parties in interest.

On October 8, 1959, the Commission, asprovided by law,  
designated Edwin R. Lundborg, an employee of the Commission ,  
to conduct the hearing on said application, he thereafter to submit  
a report of said proceedings to the Commission.

Report of said Examiner states that at the time and place designated for hearing, it was moved that said matter be continued, to be re-set for hearing at a later date, with notice to all parties in interest.

Report of the Examiner recommends that said action be taken.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That the above-styled application should be continued, to be re-set for hearing at a later date to be determined by the Commission, with notice to all parties in interest.

### O R D E R

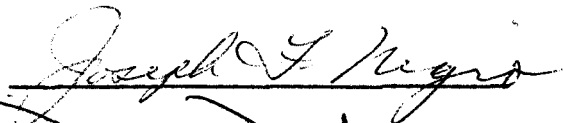
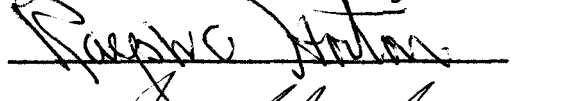

#### THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above Findings be, and the same hereby is, approved.

That Application No. 17411-PP be, and the same hereby is, continued, said matter to be later re-set for hearing before the Commission, with notice to all parties in interest.

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 5th day of November, 1959.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
F. DAVE VIGIL, 105 WEST LONGSPEAK, )  
BRIGHTON, COLORADO, FOR AUTHORITY ) APPLICATION NO. 17413-PP-Extension  
TO EXTEND OPERATIONS UNDER PERMIT )  
NO. B-5846. )  
-----)

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November 5, 1959  
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Appearances: F. Dave Vigil, Brighton,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein is presently the owner and operator of  
Permit No. B-5846, authorizing operation as a private carrier by  
motor vehicle for hire, for the transportation of:

natural fertilizer, between all points within  
radius of fifty miles of Brighton, Colorado.

By the instant application, said permit-holder seeks  
authority to extend operations under said Permit No. B-5846 to  
include the right to transport ensilage, from point to point within  
a radius of fifty miles of Brighton, Colorado.

Said application was regularly set for hearing before the  
Commission, at the Hearing Room of the Commission, 330 State Office  
Building, Denver, Colorado, October 9, 1959, at ten o'clock A. M.,  
due notice thereof being forwarded to all parties in interest.

On October 8, 1959, the Commission, as provided by law,  
designated Edwin R. Lundborg, an employee of the Commission, to  
conduct the hearing on said application.

Said hearing was held at the time and place designated in  
the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting  
the hearing, he thereafter submitting a report of said proceedings  
to the Commission.

Report of said Examiner states that at the hearing, applicant appeared in support of his application, stating he is the owner and operator of Permit No. B-5846; that he seeks authority to extend operations thereunder to include the right to transport ensilage; that he is presently engaged in such transportation under Temporary Authority issued by this Commission; that he has sufficient equipment with which to conduct his proposed extended services; that he has a net worth of approximately \$9,000; that he has received numerous requests for his proposed extended service.

No one appeared in opposition to the granting of authority herein sought.

The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

It does not appear that applicant's proposed extended operations will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that authority herein sought be granted.

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

##### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to extend operations under Permit No. B-5846, as set forth in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above Findings be, and the same hereby is, approved.

That F. Dave Vigil, Brighton, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-5846, to

include the right to transport ensilage, from point to point point within a radius of fifty miles of Brighton, 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

Joseph F. Nizio  
Raymond C. Johnson  
Harold E. Zerkow  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of November, 1959.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
EDWARD D. WARD, 1221 RUTH WAY, )  
DENVER, COLORADO, FOR AUTHORITY ) APPLICATION NO. 17414-PP-Extension  
TO EXTEND OPERATIONS UNDER PERMIT )  
NO. B-5443. )  
-----)

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November 5, 1959  
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Appearances: Edward D. Ward, Denver,  
Colorado, pro se;  
Robert E. McLean, Esq.,  
Denver, Colorado, for  
Associated Rubbish  
Removal Association.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to extend operations under Permit No. B-5443, to include the right to transport refuse and waste materials from manufacturers of insulrock from place of manufacture to regularly-designated dumps and disposal places in the City and County of Denver, and in the Counties of Adams, Arapahoe and Jefferson, State of Colorado.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, October 9, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On October 8, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of said Examiner states that at the time and place designated for hearing, Applicant herein requested that same matter be continued, to be later re-set for hearing.

Report of the Examiner recommends that said request be granted.

## F I N D I N G S

### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That the above-styled application should be continued, to be later re-set for hearing before the Commission, with notice to all parties in interest.

## O R D E R

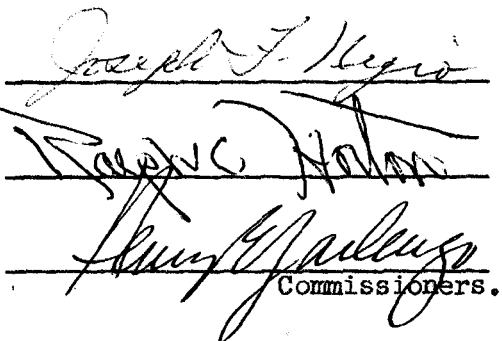
### THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

That Application No. 17414-PP be, and the same hereby is, continued, to be later re-set for hearing before the Commission, with notice to all parties in interest.

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 5th day of November, 1959.

ea



original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
WINSTON P. ADKINS, GRANBY, COLORADO, )	
FOR A CLASS "B" PERMIT TO OPERATE )	APPLICATION NO. 17417-PF
AS A PRIVATE CARRIER BY MOTOR )	
VEHICLE FOR HIRE. )	
----- )	

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November 5, 1959  
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Appearances: Winston P. Adkins, Granby,  
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 logs and rough lumber, from forests and saw-mills, to sawmills and loading points in the State of Colorado, within a radius of fifty miles of said forests.

Said application was regularly set for hearing before the Commission, at the Court House, Hot Sulphur Springs, Colorado, October 14, 1959, at one o'clock P. M., due notice thereof being forwarded to all parties in interest.

On October 8, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the time and place designated for hearing, applicant herein appeared in support of his application, stating he has sufficient and suitable equipment

with which to conduct his proposed operations; that he has a net worth of \$10,000; that he has received numerous requests for his proposed service; that he is presently engaged in transportation of logs under Temporary Authority issued by this Commission.

No one appeared in opposition to the granting of authority herein sought.

The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

It does not appear that applicant's proposed operations will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that authority herein sought be granted.

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

##### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That permit should issue to applicant herein, as set forth in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

That Winston P. Adkins, Granby, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs and rough lumber, from forests and sawmills, to sawmills and loading points in the State of Colorado, within a radius of fifty miles of said forests.

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 authority sheets.

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 F. Nigro  
Harold C. Norton  
Harry E. Spaulding  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of November, 1959.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
GEORGE L. COLUMBIA, DOING BUSINESS )	
AS "COLUMBIA BROTHERS," BOX 423, )	
HOT SULPHUR SPRINGS, COLORADO, FOR )	APPLICATION NO. 17418-PP
A CLASS "B" PERMIT TO OPERATE AS A )	
PRIVATE CARRIER BY MOTOR VEHICLE )	
FOR HIRE. )	
----- )	

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November 6, 1959  
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Appearances: George L. Columbia, Hot  
Sulphur Springs, 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 logs, poles, and rough lumber, from forests and sawmills, to sawmills, railroad loading points, and places of storage within a radius of fifty miles of said forests.

Said application was regularly set for hearing before the Commission, at the Court House, Hot Sulphur Springs, Colorado, October 14, 1959, at one o'clock P. M., due notice thereof being forwarded to all parties in interest.

On October 8, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of the Examiner states that at the time and place designated for hearing, applicant appeared and testified in support

of his application, stating he has sufficient equipment with which to conduct his proposed operations; that he has a net worth of \$3,000; that he is presently operating under Temporary Authority issued by this Commission; that he has received numerous requests for his proposed service.

No one appeared in opposition to the granting of authority sought.

The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

It does not appear that applicant's proposed operations will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that authority herein sought be granted.

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

##### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

#### O R D E R

##### THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above Findings be, and the same hereby is, approved.

That George L. Columbia, doing business as "Columbia Brothers," Hot Sulphur 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 logs, poles and rough lumber, from forests and sawmills, to sawmills, railroad loading points, and places of storage within a radius of fifty miles of said forests.

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 authority sheets.

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 F. Negro*

*Joseph C. Nolan*

*Henry S. Paulsen*  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of November, 1959.

ea

original

(Decision No. 53324)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF  
RICHARD E. CURRY, DOING BUSINESS AS  
"CURRY CONSTRUCTION COMPANY," BOX  
236, KREMMLING, COLORADO, FOR A  
CLASS "B" PERMIT TO OPERATE AS A  
PRIVATE CARRIER BY MOTOR VEHICLE  
FOR HIRE.

APPLICATION NO. 17419-PP

November 6, 1959

Appearances: David Ray, Esq., Kremmling,  
Colorado, for Applicant.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of one hundred miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of one hundred miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of one hundred miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Court House, Hot Sulphur Springs, Colorado, October 14, 1959, at one o'clock P. M., due notice thereof being forwarded to all parties in interest.

On October 8, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that on October 6, 1959, Jones and Meiklejohn, Attorneys for Denver Chicago Transport Company, Inc., filed a written protest to the granting of authority herein sought, and stating there would be no such protest, if authority sought were restricted against the use of tank trucks in transportation of road-surfacing materials.

Report of said Examiner further states that at the time and place designated for hearing, David Ray, Attorney for Applicant herein, appeared and testified applicant was unable to appear; that applicant has sufficient equipment with which to conduct his proposed operation; that he has received numerous requests for his proposed services; that he will restrict equipment used in transportation of road-surfacing materials against the use of tank trucks.

No one appeared in opposition to the granting of authority herein sought, as restricted by testimony of Attorney for Applicant.

The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

It does not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein, as set forth in the Order following.



## F I N D I N G S

### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That permit should issue to applicant herein, as set forth in the Order following.

## O R D E R

### THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

That Richard E. Curry, doing business as "Curry Construction Company," Kremmling, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of one hundred miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of one hundred miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of one hundred miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank trucks.


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 authority sheets.

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

  
*Joseph J. Nigro*  
*Frederic C. Arden*  
*Henry C. Hallings*  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of November, 1959.

mls

original

(Decision No. 53325)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ABE ROMERO, BOX 759, MONTE VISTA, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 16929-PP  
SUPPLEMENTAL ORDER

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November 6, 1959  
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Appearances: Abe Romero, Monte Vista,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

On April 7, 1959, the Commission entered its Decision No. 52030 in the above-styled application, granting to Abe Romero, Monte Vista, Colorado, the right to operate as a Class "B" private carrier by motor vehicle for hire.

Inasmuch as the above-styled applicant has not fulfilled requirements set forth in said Decision No. 53030,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.

O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Abe Romero, Monte Vista, Colorado, by Decision No. 52030, of date April 7, 1959, in Application No. 16929-PP, be, and the same hereby are, cancelled and revoked, for failure of said applicant to comply with requirements set forth in said Decision No. 52030.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph F. Ryan*  
*Ralph C. Jackson*  
*Henry J. Williams*  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of November, 1959.  
mls

original

(Decision No. 53326)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
PETE M. VALDEZ, CENTER, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS A PRIVATE CARRIER BY MOTOR VE- )  
HICLE FOR HIRE. )  
-----

APPLICATION NO. 16925-PP  
SUPPLEMENTAL ORDER

-----  
November 6, 1959  
-----

Appearances: Conour and Conour, Esqs., Del Norte, Colorado, for Applicant;  
Merle M. Marshall, Esq., Alamosa, Colorado, for C. H. Phillips.

S T A T E M E N T

By the Commission:

On April 6, 1959, the Commission entered its Decision No. 52023, in the above-styled application, granting to Pete M. Valdez, Center, Colorado, the right to operate as a Class "B" private carrier by motor vehicle for hire.

Inasmuch as the above-styled applicant has not fulfilled requirements set forth in said Decision No. 52023,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.


O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Pete M. Valdez, Center, Colorado, by Decision No. 52023, of date April 6, 1959, in Application No. 16925-PP, be, and the same hereby are, cancelled and revoked, for failure of said applicant to comply with requirements set forth in said Decision No. 52023.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Joseph T. Regier  
Francis C. Hutton  
Harry Paulings  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of November, 1959.

mls

original

(Decision No. 53327)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GEORGE L. BENNETT, DEL NORTE, COLO- )  
RADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 16924-PP  
SUPPLEMENTAL ORDER

-----  
November 6, 1959  
-----

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

S T A T E M E N T

By the Commission:

On May 22, 1959, the Commission entered its Decision No. 52344, in the above-styled application, granting to George L. Bennett, Del Norte, Colorado, the right to operate as a Class "B" private carrier by motor vehicle for hire.

Inasmuch as the above-styled applicant has not fulfilled requirements set forth in said Decision No. 52344,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.


O R D E R

THE COMMISSION ORDERS:

That operating rights granted to George L. Bennett, Del Norte, Colorado, by Decision No. 52344, of date May 22, 1959, in Application No. 16924-PP, be, and the same hereby are, cancelled and revoked, for failure of said applicant to comply with requirements set forth in said Decision No. 52344.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Joseph L. Nigro  
George S. Holman  
Frank G. Hulings  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of November, 1959.

mls

original

(Decision No. 53328)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GOERGE MOORMAN, 6801 LEYDEN, DERBY, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 16691-PP

-----  
November 6, 1959  
-----

Appearances: George Moorman, Derby,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

On February 3, 1959, the Commission entered its Decision No. 51657 in the above-styled application, granting to George Moorman, Derby, Colorado, the right to operate as a Class "B" private carrier by motor vehicle for hire.

Inasmuch as the above-styled applicant has not fulfilled requirements set forth in said Decision No. 51657,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.

O R D E R


THE COMMISSION ORDERS:

That operating rights granted to George Moorman, Derby, Colorado, by Decision No. 51657, of date February 3, 1959, in Application No. 16691-PP be, and the same hereby are, cancelled and revoked, for failure of said applicant to comply with requirements set forth in said Decision No. 51657.



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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Joseph L. Nigro  
Frederic C. Holton  
Frank J. Mulroney  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of November, 1959.

mls

original

(Decision No. 53329)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
STEPHEN A. WALKINGSHAW, DOING BUSI- )  
NESS AS "WALKIE," 175 SOUTH 13TH, )  
BRIGHTON, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )  
----- )

APPLICATION NO. 16810-PP

-----  
November 6, 1959  
-----

Appearances: Stephen A. Walkingshaw,  
Brighton, Colorado, pro se.

S T A T E M E N T

By the Commission:

On February 10, 1959, the Commission entered its Decision No. 51699, granting to the above-styled applicant the right to operate as a Class "B" private carrier by motor vehicle for hire.

Inasmuch as the above-styled applicant has not fulfilled requirements set forth in said Decision No. 51699,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.

O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Stephen A. Walkingshaw, doing business as "Walkie," Brighton, Colorado, by Decision No. 51699, of date February 10, 1959, in Application No. 16810-PP be, and the same hereby are, cancelled and revoked, for failure of said applicant to comply with requirements set forth in said Decision No. 51699.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph F. Ryan*  
*Joseph C. Gordon*  
*Harry H. Williams*  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of November, 1959.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CLAYTON LE ROY ANDREWS, DOING )  
BUSINESS AS "ECONOMY MOVERS," )  
BOX 212, NORTH PLATTE, NEBRASKA )  
----- )

PUC NO. 1082-I  
CASE NO. 90925-INS.

-----  
November 6, 1959  
-----

S T A T E M E N T

By the Commission:

On September 15, 1959, in Case No. 90925-Ins., the Commission entered its Order, revoking PUC No. 1082-I for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made with the Commission by said Respondent, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That PUC No. 1082-I be, and the same hereby is, reinstated, as of September 15, 1959, revocation order entered by the Commission on said date in Case No. 90925-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph L. Negro*  
*Frederic C. Dalton*  
*Alvin E. Zuluaga*  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of November, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )	
HARRY E. HODSON, 230 EAST TENTH )	PERMIT NO. M-15613
STREET, LEADVILLE, COLORADO. )	CASE NO. 91065-INS.
----- )	

-----  
November 6, 1959  
-m- -----

S T A T E M E N T

By the Commission:

On September 15, 1959, the Commission, in Case No. 91065-Ins., entered its order, revoking Permit No. M-15613 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made with the Commission by said Respondent, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

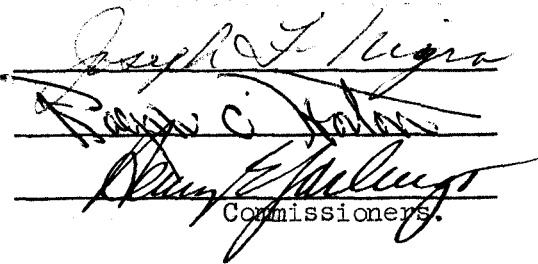
That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-15613 be, and the same hereby is, reinstated, as of September 15, 1959, revocation order entered by the Commission on said date in Case No. 91065-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of November, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )	
AKIN MERCANTILE COMPANY, DOLORES, )	PERMIT NO. M-2618
COLORADO. )	CASE NO. 90701-INS.
----- )	

-----  
November 6, 1959  
-----

S T A T E M E N T

By the Commission:

On September 15, 1959, in Case No. 90701-Ins., the Commission entered its Order, revoking Permit No. M-2618 for failure of Respondent herein to keep effective insurance on file with the Commission.

Inasmuch as proper insurance filing has now been made with the Commission by said Respondent, without lapse,

F I N D I N G S

THE COMMISSION FINDS:

That said permit should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-2618 be, and the same hereby is, reinstated, as of September 15, 1959, revocation order entered by the Commission on said date in Case No. 90701-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph F. Nigro*  
*Ralph C. Nolan*  
*Alvin J. Fulling*  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of November, 1959.

original

(Decision No. 53333)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )	
OSCAR REED, 3128 FRANKLIN )	PERMITS NOS. B-5646
STREET, DENVER, COLORADO. )	M-15576
----- )	CASE NO. 91085-INS.

-----  
November 6, 1959  
-----

S T A T E M E N T

By the Commission:

On September 15, 1959, the Commission entered its Order in Case No. 91085-Ins., revoking Permits Nos. B-5646 and M-15576 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that said permit-holder did have insurance paid for and in effect on said date, but through neglect on the part of his insurance agent, Certificate of Insurance was not filed with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permits Nos. B-5646 and M-15576 be, and they hereby are, reinstated, as of September 15, 1959, revocation order entered by the Commission on said date in Case No. 91085-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph F. Nevin*  
*Frank C. Holton*  
*Henry G. Sullivan*  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of November, 1959.  
ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
BYRD N. PEARSON, 167 SOUTH )  
SECOND WEST, PROVO, UTAH. )  
-----

PERMIT NO. M-9037  
CASE NO. 91111-INS.

-----  
November 6, 1959  
-----

S T A T E M E N T

By the Commission:

On September 15, 1959, in Case No. 91111-Ins., the Commission entered its Order, revoking Permit No. M-9037 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made with the Commission by said Respondent, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-9037 be, and the same hereby is, reinstated, as of September 15, 1959, revocation order entered by the Commission on said date being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph J. Lugo*  
*James C. Harkins*  
*Alvin E. Jenkins*  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of November, 1959.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
TRI STATE MILLING COMPANY, )  
RAPID CITY, SOUTH DAKOTA. )  
-----

PERMIT NO. M-14315  
CASE NO. 90836-INS.

-----  
November 6, 1959  
-----

S T A T E M E N T

By the Commission:

On September 15, 1959, in Case No. 90836-Ins., the Commission entered its Order, revoking Permit No. M-14315 for failure of Respondent herein to keep effective insurance on file with the Commission.

Inasmuch as proper insurance filing has now been made with the Commission by said Respondent,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-14315 be, and the same hereby is, reinstated, as of September 15, 1959, revocation order entered by the Commission on said date in Case No. 90836-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph L. Nigro*  
*Joseph C. Holman*  
*Alvin E. Gailings*  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of November, 1959.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOHN ARRABITO AND JAMES BISIO, )  
DOING BUSINESS AS "HILLSIDE IM- )  
PLEMENT," BOX 911, DURANGO, )  
COLORADO. )  
-----

PERMIT NO. M-1369  
CASE NO. 91157-INS.

-----  
November 6, 1959  
-----

S T A T E M E N T

By the Commission:

On September 15, 1959, in Case No. 91157-Ins., the Commission entered its Order, revoking Permit No. M-1369 for failure of Respondents herein to keep effective insurance on file with the Commission.

It now appears that said Respondents have filed proper insurance with the Commission, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-1369, be, and the same hereby is, reinstated, as of September 15, 1959, revocation order entered by the Commission on said date in Case No. 91157-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Raymond C. Horton  
George Milroy  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of November, 1959.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CONSOLIDATED NURSERIES, INC., )  
P. O. BOX 311, TYLER, TEXAS. )  
-----

PERMIT NO. M-1131  
CASE NO. 91155-INS.

-----  
November 6, 1959  
-----

S T A T E M E N T

By the Commission:

On September 15, 1959, in Case No. 91155-Ins., the Commission entered its Order, revoking Permit No. M-1131 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance has been filed with the Commission by said Respondent, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-1131 be, and the same hereby is, reinstated, as of September 15, 1959, revocation order entered by the Commission on said date in Case No. 91155-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph F. Hagan*  
*Walter C. Hagan*  
*Henry G. Hagan*  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of November, 1959.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
CHARLEY W. BALL, ROUTE # 1, CLIFTON, )  
COLORADO. )

PERMIT NO. M-12529

November 17, 1959

# STATEMENT

**By the Commission:**

The Commission is in receipt of a communication from Charley W. Ball,  
Clifton, Colorado  
requesting that Permit No. M-12529 be cancelled.

## FINDINGS

### THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. M-12529, heretofore issued to Charley W. Ball,  
Clifton, Colorado be,  
and the same is hereby, declared cancelled effective September 28, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Frank C. Horton  
Henry E. Zalusky  
Commissioners

Dated at Denver, Colorado,

this 17th day of November , 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

NATIONAL CHLOROPHYLL AND CHEMICAL )  
COMPANY, (DIVISION OF HOFMANN IND- )  
USTRIES, INCORPORATED), SINKING )  
SPRING, PENNSYLVANIA. )  
-----)

PERMIT NO. M-14882

-----  
November 17, 1959  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from National Chlorophyll and Chemical Company, (Division of Hofmann Industries, Inc.), Sinking Spring, Pennsylvania requesting that Permit No. M-14882 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14882, heretofore issued to National Chlorophyll and Chemical Company, (Division of Hofmann Industries, Inc.) Sinking Spring, Penna. be, and the same is hereby, declared cancelled effective October 29, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Frank C. Horton  
Henry E. Zurlings  
Commissioners

Dated at Denver, Colorado,

this 17th day of November, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ELLIS LEE CHRISCO, CLIFTON, COLO- )  
RADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. M-2359

-----  
November 17, 1959  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ellis Lee Chrisco,  
Clifton, Colorado  
requesting that Permit No. M-2359 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2359, heretofore issued to Ellis Lee Chrisco,  
Clifton, Colorado be,  
and the same is hereby, declared cancelled effective October 30, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Norton  
Henry E. Zaulings  
Commissioners

Dated at Denver, Colorado,

this 17th day of November, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

WILLIAM AND DENNIS FEISTER, P. O. )  
BOX 1075, AGUILAR, COLORADO. )

PERMIT NO. M-9675

November 17, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from William and Dennis Feister, Aguilar, Colorado requesting that Permit No. M-9675 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9675, heretofore issued to William and Dennis Feister, Aguilar, Colorado be, and the same is hereby, declared cancelled effective November 3, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
George C. Norton  
Henry E. Zurling  
Commissioners

Dated at Denver, Colorado,

this 17th day of November, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

JOE A. CHAVEZ, P. O. BOX 416,  
NEDERLAND, COLORADO

PERMIT NO. M-7873

November 17, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Joe A. Chavez,  
Nederland, Colorado  
requesting that Permit No. M-7873 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7873, heretofore issued to Joe A. Chavez,  
Nederland, Colorado be,  
and the same is hereby, declared cancelled effective October 26, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Frank C. Horton  
Henry E. Zullinger  
Commissioners

Dated at Denver, Colorado,

this 17th day of November, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
THEODORE PRIOLA AND KEITH BALTHAZOR, )  
DOING BUSINESS AS, "P & B TRUCKING )  
COMPANY", ROUTE 1 BOX 88, HENDERSON, )  
COLORADO. )  
-----)

PERMIT NO. B-5721

-----  
November 17, 1959  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Theodore Priola and Keith Balthazor, dba "P & B Trucking Company", Henderson, Colorado requesting that Permit No. B-5721 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5721, heretofore issued to Theodore Priola and Keith Balthazor, dba "P & B Trucking Company", Henderson, Colorado be, and the same is hereby, declared cancelled effective October 30, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Frank C. Horton  
Wm. C. Zurling  
Commissioners

Dated at Denver, Colorado,

this 17th day of November, 1959.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
PETE UMBRIACO, 5900 NORTH )  
WASHINGTON STREET, DENVER 16, )  
COLORADO. )  
-----

PERMIT NO. B-5002

-----  
November 17, 1959  
-----

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-5002 be further suspended for six months from October 22, 1959.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Pete Umbriaco, Denver, Colorado, be, and is hereby, authorized to suspend his operations under Permit No. B-5002 until April 22, 1960.

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 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

*Joseph F. Negro*  
*Ralph C. Hodson*  
*Henry E. Zank*  
Commissioners

Dated at Denver, Colorado,  
this 17th day of November, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ABE ZIEGLER, 1700 NORTH CHAMBERS )  
ROAD, DENVER 8, COLORADO. )  
-----

PERMIT NO. B-3465

-----  
November 17, 1959  
-----

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-3465 be further suspended for six months from October 15, 1959.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Abe Ziegler, Denver, Colorado, be, and he is hereby authorized to further suspend his operations under Permit B-3465 until April 15, 1960.

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 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

Joseph F. Negro  
Samuel C. Horton  
Wm. E. Ziegler  
Commissioners

Dated at Denver, Colorado,  
this 17th day of November, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

MARVIN H. MAXELL, P. O. BOX 353,  
MONUMENT, COLORADO.

PERMIT NO. B-5775

November 17, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Marvin H. Maxell,  
Monument, Colorado  
requesting that Permit No. B-5775 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5775, heretofore issued to Marvin H. Maxell,  
Monument, Colorado be,  
and the same is hereby, declared cancelled effective October 25, 1959.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Negro  
Ralph C. Horton  
Wm. E. Zink  
Commissioners

Dated at Denver, Colorado,

this 17th day of November, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE THE CANCELLATION OF RATES ON )  
CEMENT AS DESCRIBED BELOW, FROM )  
PORTLAND, COLORADO TO LOWRY AIR )  
FORCE BASE, TECHNICAL FACILITIES, )  
BY COLORADO MOTOR CARRIERS' ASSOC- )  
IATION, AGENT, MOTOR FREIGHT TAR- )  
IFF NO. 14, COLORADO P.U.C. NO. 13, )  
ISSUED BY J. R. SMITH, CHIEF OF )  
TARIFF BUREAU, DENVER, COLORADO. )  
-----

CASE NO. 1585

-----  
November 9, 1959  
-----

S T A T E M E N T

By the Commission:

On October 15, 1959, 9th Revised Page No. 44, to Colorado Motor Carriers' Association, Agent, Motor Freight Tariff No. 14, Colorado P.U.C. No. 13, was filed with this Commission reflecting an issuance date of October 14, 1959, and effective November 16, 1959, containing in part the following, viz.:

ITEM NO.	COMMODITY	FROM	TO	RATES
306	Cement, in bulk in tank vehicles, minimum weight 40,000 pounds	Portland, Colorado	Lowry Air Force Base, Technical Facilities, Complex 1A, 1B & 1C, Project No. Eng. 25-066-59-73 and Complex 2A, Project No. Eng. 25-066-59-84	22 (E)(A)
	Cement, in bags, minimum weight 40,000 pounds			25 (E)(A)

Rates are in cents per 100 pounds.

(E) - Eliminate

(A) - Advance in rates

The Commission had previously entered orders prescribing these rates in Case No. 1585, by Decision Nos. 52467, dated June 10, 1959; 52532, dated June 19, 1959, and 52581, dated June 24, 1959, and is stated here as information only and to clear the Commission's Docket.

The Commission is in receipt of a letter from Mr. Stanley Blunt of the Southwestern Transportation Company and also a concurring letter from Mr. Don Ward of Verl Harvey, Inc., wherein independent action was taken before the rate bureau of the hereinbefore named association to cancel these rates. Mr. Blunt's letter in part follows for the supporting reasons for this cancellation:

"We originally requested these rates on May 29, 1959 and in support of the request we alleged that the large volume of cement and accompanying efficiencies of this job under normal conditions would justify a commodity rate at less than the mileage scale. That in our opinion these normal conditions did exist on a haul out of Portland to this job but did not exist on the haul out of Boettcher. Further at the time of this filing the carriers had every reason to believe that some one of the authorized carriers would secure this business and be hauling this large efficient volume.

"Now however it develops that the contracting firm is hauling almost all of this cement themselves with the for hire carriers receiving only the emergency overflow. This has completely changed the nature of the haul from a good efficient operation to one of very small volume and usually very short notice. Removing entirely any justification for any decrease in the mileage scale. It should also be noted that the decreased rates granted in Decision No. 52581 came after the contract for the Missile Base had been awarded so that if Item No. 306 is now removed the rates to the shipper will simply return to the same level as they were at the time the job was bid.

"As set forth in my letter of May 29, 1959 one of the main reasons for filing the original application was an attempt to cooperate with the Ideal Cement Company in solving what at that time appeared to be a problem with which they were faced. With the contractor now transporting almost all of his own cement that problem apparently does not now exist and the end result now of Item 306 is that we, and we understand two other for hire carriers, are handling a very small amount of business at a reduced rate."

For the future, the mileage distant scales as presently provided shall be used. The mileage of 118 miles as previously stated in the statement of the Commission's Decision No. 52467, will be used in determining the applicable rates from Portland, Colorado, to the Lowry Air Force Base, Technical Facilities as named, and are as follows:

Rates are in cents per 100 pounds

	<u>Minimum Weights</u>	
	<u>25,000 Lbs.</u>	<u>35,000 Lbs.</u>
Bags, Palletized		26
Bags, Palletized or Not Palletized	30	
Bags, Not Palletized		29
In Bulk		26

No protests have been received by this Commission.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the 9th Revised Page No. 44 to Colorado Motor Carriers' Association, Agent, Motor Freight Tariff No. 14, Colorado P.U.C. No. 13, containing the elimination of the rates provided in Item No. 306 should be allowed to become effective, and for the future the rates as otherwise provided shall apply effective November 16, 1959.

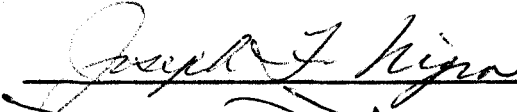
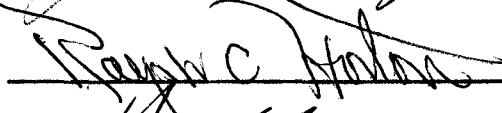

### O R D E R

#### THE COMMISSION ORDERS, That:

1. The statement and findings be, and the same are hereby made a part hereof.
2. On and after November 16, 1959, the provisions as set forth in the statement of this order shall become effective.
3. All motor vehicle common carriers who are affected by the changes prescribed herein shall charge the aforesaid rates as maximum and/or minimum rates.
4. All private carriers by motor vehicles to the extent they are affected by the changes involved herein shall charge the aforesaid rates as minimum rates.
5. The order entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force and effect until further order of the Commission.

6. Jurisdiction is retained to make such further orders  
as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 9th day of November, 1959.

mem

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE VARIOUS CHANGES IN RATES, RULES )  
AND REGULATIONS IN THE COLORADO )  
MOTOR CARRIERS' ASSOCIATION, AGENT, )  
LOCAL AND JOINT FREIGHT TARIFF NO. )  
12-A, COLORADO P.U.C. NO. 11, ISSUED )  
BY J. R. SMITH, CHIEF OF TARIFF BUREAU, )  
4060 ELATI STREET, DENVER 16, COLORADO.)  
-----

CASE NO. 1585

-----  
November 9, 1959  
-----

S T A T E M E N T

By the Commission:

Under the provisions of Rule 18, Paragraph C-(1)-(A), of the "Rules of Practice and Procedure" of the Commission, there were filed with the Commission on statutory notice schedules stating new rates, rules, regulations and charges advertised to become effective November 18, 1959, designated as set forth in Appendix "A", attached hereto and made a part hereof.

Under the provision of Rule 18, Paragraph C-(1)-(A) of the said Rules of Procedure, following the protest deadline (ten days prior to the proposed effective date) an order of the Commission is required prescribing the changes set forth in the proposed new schedules.

In justification of the following changes the Commission has been informed by letters from carriers involved, that:

Item No. 740, Section No. 1, wherein it applies for the account of Centennial Truck Lines, Inc., only, an amendment is being made to change the last line from: "Any deficit in the minimum weight will be charged for at the lowest rate in the shipment" to the "highest rate".

Mr. Howard Hicks, General Traffic Manager, states in his letter that:



"Our justification for this request is the fact that we have been faced with increased operating costs during the past several months, also, our operating ratio has been unfavorable and it is absolutely necessary that we obtain additional revenue wherever possible. In addition, the present rail tariff on intrastate traffic publishes a similar rule where the deficit in the minimum weight is charged for at the highest rate in the shipment rather than the lowest. We would, therefore, still be competitive with the rail provisions. In addition, we feel that the change would create an additional incentive for the shipper to ship enough weight to go over the next higher minimum weight which would be desirable as far as our company is concerned as it would increase the volume as to weight."

Item No. 930, Paragraph (I) (Minimum Charge Rule) is being amended for the account of Don Young and Thomas C. Young, DBA Plateau Valley Stage Line, by adding an exception to its present 75 cent minimum charge for a single shipment to a charge of \$1.25 for all shipments other than those transported between Grand Junction, Palisade, Mesa, Molina or Collbran, Colorado, and intermediate points. Mr. Thomas Young states that:

"Our reason for the increase for minimum shipments beyond the line haul points of Collbran is the increase of population, on account of the great amount of construction work in progress here, requires so many small deliveries from 4 to 10 miles out of town. These contractors want all packages delivered on the job, and it works a real hardship on us. Lots of their shipments only amount to from two to ten pounds, but they want it delivered."

Item No. 2220, for account of Centennial Truck Lines, Inc., covering meats and dairy products, as named, the rates are being increased approximately 20%.

In support of this increase, Mr. Howard Hicks states that:

"The last time the rates in this item were increased was March 18, 1954. Since that date our company has had several increases in labor costs. The last labor contract effective May 1, 1958, increased labor costs by an average of 10%. Since that time cost of living increases have further increased labor costs another  $4\frac{1}{2}\phi$  per hour. In addition, the Congress has authorized a 1 $\phi$  per gallon increase in fuel tax effective October 1, 1959."

The major packing concerns are not adverse to this increase.

Item No. 2240, for account of Centennial Truck Lines, Inc., and Rio Grande Motor Way, Inc., the rates between Denver and Fort Carson, Colorado, are being reduced by approximately 20%. In justification, it is stated by Mr. Hicks that in Item No. 2220, above stated, the increases involved between Denver and Pueblo, Colorado, has a direct effect upon this item wherein the present rates (1) 10,000 lbs. - 62¢; (2) 15,000 lbs. - 53¢ (rates in cents per 100 pounds), between above points would be higher than the increases in Item No. 2220. Fort Carson being a point intermediate between Denver and Pueblo.

Item No. 2495, for account of Centennial Truck Lines, Inc., and also a joint operation with Centennial and Avara Truck Line, is being amended by adding points as indicated in the attached appendix. Mr. Hicks states that the proposed rates are similar to those already in effect from Denver via his company and shipper requests their publication.

Item No. 2675 and Item No. 2705, for account of Rio Grande Motor Way, Inc., are new items. Mr. Ralph H. Knull, Assistant Traffic Manager for Rio Grande, informs the Commission that Durango, Colorado, will be used as a storage and distribution point for the sugar item and the syrup item publication is due to a change in distribution by a soft drink concern.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the changes set forth in Appendix "A", attached hereto, and made a part hereof, appear to represent just, fair and reasonable rates and charges and should be authorized and an order entered prescribing the said changes.

### O R D E R

#### THE COMMISSION ORDERS, That:

1. The statement, findings and Appendix "A", be, and the same are hereby made a part hereof.
2. This order shall become effective forthwith.

3. The rates, rules, regulations and provisions set forth in Appendix "A", shall on November 18, 1959, be the prescribed rates, rules, regulations and provisions of the Commission.

4. All motor vehicle common carriers who are affected by the changes prescribed herein shall publish or cause to be published new tariffs reflecting the changes prescribed herein.

5. All private carriers by motor vehicle to the extent they are affected by the changes involved herein shall publish, or cause to be published, rates, rules, regulations and provisions which shall not be less than those herein prescribed for motor vehicle common carriers.

6. On and after November 18, 1959, all affected motor vehicle common carriers shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein prescribed, provided that call and demand motor vehicle common carriers shall be subject to the penalty rule of twenty (20) per cent.

7. On and after November 18, 1959, all private carriers by motor vehicle operating in competition with any motor vehicle common carrier, affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed, provided that Class "B" private carriers shall be subject to the penalty rule of twenty (20) per cent.

8. This order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

9. The order entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force and effect until further order of the Commission.

10. Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph F. Nigro  
Philip C. Holman  
Donald S. Milroy  
Commissioners

Dated at Denver, Colorado,  
this 9th day of November, 1959.

mem

APPENDIX "A"

Colorado Motor Carriers' Association, Agent  
Local and Joint Freight Tariff No. 12-A  
Colorado P.U.C. No. 11

\* The other portions of these items not shown herein as not affected by changes involved.

RULES AND REGULATIONS	
ITEM NO.	APPLICATION
	<p><u>BASIS FOR RATES ON QUANTITY SHIPMENTS:</u></p> <p><u>SECTION NO. 1:</u> (The following paragraph applies only via Centennial Truck Lines, Inc., and applies on both interstate and intrastate traffic.)</p>
* 740	<p>On single shipments transported by Centennial Truck Lines, Inc., locally on its own line or jointly with other carriers, from one consignor to one consignee on one bill of lading in one day in one vehicle or combination of vehicles (as hereinbefore designated) of the required minimum weight, composed of two or more articles subject to different less-than-truckload or any quantity ratings, carrier shall apply to each article its respective volume rate (based on the total weight of the combined articles) at the actual weight of each article. Any deficit in the minimum weight will be charged for at the (A) highest rate in the shipment.</p>
	<p><u>MINIMUM CHARGE:</u></p> <p><u>EXCEPTIONS:</u></p>
* 930	<p>(1) The minimum charge for a single shipment from one consignor to one consignee on one bill of lading in one day via Don Young and Thomas C. Young, DBA Plateau Valley Stage Line will be 75 cents, + (A) except that on all shipments other than those transported between Grand Junction, Palisade, Mesa, Molina or Collbran, Colorado, and intermediate points the minimum charge will be \$1.25.</p>

SECTION NO. 2  
COMMODITY RATES

(For Application, See Page No. 190 of Tariff)

Rates Are in Cents per 100 Pounds (Unless Otherwise Stated)

ITEM NO.	COMMODITY Commodities in the same item may be shipped in straight or mixed truck loads.	FROM (Except as Noted in Individual Items)	TO	RATES	ROUTE NO.
2220  (A)	Meats, fresh, frozen or not frozen. Meats, fresh salted. Sausage, fresh. Dairy Products, viz.: Butter, NOI, butter grease, oleomargarine; cheese, including cheese food; eggs, chicken, for human consumption, eggs, shelled; egg albumen (whites) or yolks, dessicated (dry).  Packing House Products and other Articles as described in Item No. 470. (Subject to Item No. 770.) (1) Minimum weight 5,000 pounds. (2) Minimum weight 10,000 pounds. (3) Minimum weight 15,000 pounds.	Denver, Colorado	Colorado Spgs., Colorado	(1) 52 (2) 44 (3) 42	47
			Pueblo, Colo.	(1) 62 (2) 52 (3) 44	
		Pueblo, Colorado	Colorado Spgs., Colorado	(1) 44 (2) 40 (3) 31	
			Denver, Colo.	(1) 62 (2) 52 (3) 44	

2240	Meats, fresh and Packing House Products, as described in Items No. 440 and 470. (1) Min. Wt. 10,000 Pounds. (2) Min. Wt. 15,000 Pounds. Subject to Item No. 770.	<u>BETWEEN</u>  Denver, Colorado	<u>AND</u>		
			Canon City, Colorado	(1) 62 (2) 53	87
			Ft. Carson, Colorado	(R)(1) 52 (R)(2) 44	47 87

Roofing or Siding or Roofing or Siding Materials, viz.: Asphalt; Cement, roofing; Paper, building or roofing; Pitch; Roofing, composition or prepared, NOI; Shingles, asphalt composition or asbestos; Siding, asphalt composition or asbestos; Wallboard, asbestos. Minimum weight 30,000 lbs. NOTE: Rates will also apply on accessories necessary in applying the roofing, shingles and siding, but not to exceed 10 per cent of the weight on which charges are assessed. Shipper to place freight at tail gate of truck or trailer and consignee to receive freight at tail gate of trailer or truck, or equipment will be spotted for unloading by consignee.						
<u>BETWEEN DENVER, COLORADO, AND:</u>						
	COLORADO	RATES	ROUTE NO.	COLORADO	RATES	ROUTE NO.
		Continued on following Sheet				

2495	Air Force Academy	26	47	Greeley	23	47
	Alamosa	61	87	Gunnison	70	87
	Ault	23	47	Gypsum	66	87
	+(R)Avondale	35	47	Haxtun	37	4
	Bayfield	82	87	+(R)Holly	48	47
	Blanca	61	87	Holyoke	37	4
	Boulder	18	49	Hooper	61	87
	Brighton	16	47	Ignacio	82	87
	Brush	29	32	Julesburg	41	32
	Buena Vista	52	87	Kersey	23	47
	Canon City	40	87	La Junta	40	47
	Center	61	87	Lamar	44	47
	Colorado Springs	26	47	La Salle	22	47
	Cortez	94	87	Leadville	58	87
	Craig	71	25	Littleton	15	47
	+(R)Crowley	39	48	Loveland	23	12
	Del Norte	61	87	Mancos	94	87
	Delta	72	87	Monte Vista	61	87
	Dolores	94	87	Montrose	72	87
	Durango	82	87	New Castle	66	87
	Dyke	82	87	Pagosa Springs	82	87
	Eagle	66	87	Peetz	37	32
	Eaton	23	47	Pueblo	34	47
	Florence	40	87	Rifle	72	87
	Fort Carson	26	47	Salida	52	87
	Fort Collins	30	158	Silt	66	87
	Fort Garland	61	87	South Fork	61	87
	Fort Lupton	18	47	Steamboat Springs	61	25
	Fort Morgan	26	32	Sterling	35	32
	Glenwood Springs	66	87	Trinidad	42	47
	Grand Junction	72	87	Wiggins	25	32
	Granite	58	87			

ITEM NO.	COMMODITY	FROM	TO	RATES	ROUTE
+(R) 2675	Sugar in Bags, minimum weight 40,000 pounds	Delta, Colorado	Durango, Colorado	52	87
+ 2705 (R)	Syrup, flavoring or fruit, minimum weight 10,000 pounds.	Denver, Colorado	Delta, Colo. Grand Junction, Colorado	108	87

NOTES: (A) - Advance. + - Addition. (R) - Reduction.

Routes: No. 4 - North Eastern Motor Freight, Inc., Sterling, Colorado, Brooks Transportation Company  
No. 12 - Denver-Loveland Transportation Company - direct  
No. 25 - Larson Transportation Company - direct  
No. 32 - North Eastern Motor Freight, Inc. - direct  
No. 47 - Centennial Truck Lines, Inc. - direct  
No. 48 - Centennial Truck Lines, Inc., Pueblo, Colorado, Avara Truck Line  
No. 49 - Boulder-Denver Truck Line, Inc. - direct  
No. 87 - Rio Grande Motor Way, Inc. - direct  
No. 158 - Denver-Laramie-Walden Truck Line, Inc. - direct

original.

(Decision No. 53349)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
COLORADO CENTRAL POWER COMPANY, A )	
DELAWARE CORPORATION, FOR AUTHORITY )	
TO ISSUE AND SELL APPROXIMATELY )	<u>APPLICATION NO. 17440--Securities</u>
66,490 ADDITIONAL SHARES OF ITS )	
COMMON STOCK OF THE PAR VALUE OF )	
TWO AND A HALF DOLLARS PER SHARE. )	
----- )	

-----  
November 12, 1959  
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Appearances: Philip A. Rouse, Esq.,  
                  Denver, Colorado, for  
                  the Applicant;  
                  J. M. McNulty, Denver,  
                  Colorado, and  
                  E. R. Thompson, Denver,  
                  Colorado, for the  
                  Commission.

S T A T E M E N T

By the Commission:

Colorado Central Power Company, a Delaware corporation,  
herein seeks an order authorizing it to issue and sell, pursuant  
to 115-1-4, Colorado Revised Statutes, 1953, additional shares  
of its Common Stock, having a par value of \$2.50 per share.

Public hearing was held on said application in the  
Hearing Room of the Commission, 330 State Office Building, Denver,  
Colorado, on October 26, 1959, at ten o'clock A. M., and at the  
conclusion thereof, the matter was taken under advisement by the  
Commission.

Colorado Central Power Company, hereinafter called the  
"Company," is a corporation duly organized and existing under the  
laws of the State of Delaware, and has authority to do business  
in the State of Colorado. The Company is engaged solely in the  
business of the purchase, transmission, distribution, and sale  
of electric energy in the Counties of Arapahoe, Douglas, Jefferson,



Weld, and Clear Creek, and the distribution and sale of water in the County of Jefferson, all in the State of Colorado, and the sale and servicing of utility appliances in all of the said counties. Its principal executive offices are located at 3470 South Broadway, Englewood, Colorado. The Company is not a "holding company" or a "subsidiary company" or an "affiliate," as such terms are defined in the Public Utility Holding Company Act of 1935, and it has no interest in any other public utility company.

A copy of the Certificate of Incorporation of the Company, and subsequent amendments thereto, certified by the Secretary of State of the State of Delaware, were filed with the Commission in Applications Nos. 8535, 8641, 11006, 13356, and 17180, and by reference are hereby made a part hereof.

A certified copy of the By-Laws of the Company, as amended, was received in evidence as Exhibit 1.

Said Certificate of Incorporation, as amended, and said By-Laws, as amended, are now in full force and effect without change.

The authorized capital stock of the Company on October 26, 1959, was 25,000 shares of Cumulative Preferred Stock of the par value of \$100.00 per share, and 2,000,000 shares of Common Stock of the par value of \$2.50 per share. Of the Cumulative Preferred Stock, 9,200 shares, with a dividend rate of 4-1/2% per annum, were outstanding. Of the Common Stock, 664,893 shares were outstanding on October 26, 1959.

The Company has heretofore issued and there are outstanding \$7,400,000 principal amount of First Mortgage Bonds.

There are also outstanding \$1,600,000 principal amount of the Company's Sinking Fund Debentures, due on June 1, 1974.

The Company has no other indebtedness except current liabilities.

The proposed terms and conditions of offering of said additional shares of stock as set forth in the Preliminary Prospectus, dated October 16, 1959, admitted in evidence as Exhibit 6 at the

hearing, and in supplemental information supplied to the Commission, are as follows:

The Company will offer on or after November 13, 1959, to its stockholders of record at the close of business on November 6, 1959, with the expiration date of said offering 3 P. M., Mountain Standard Time, on or after November 30, 1959, the right to purchase 66,490 additional shares of its Common Stock (hereinafter sometimes called "Additional Common Stock"), at \$20.00 per share, on the basis of one (1) share of such stock for each ten (10) shares held.

In compliance with the stockholders' preemptive rights set forth in Article FOURTH of the Company's Certificate of Incorporation, such shares will first be offered by the Company to, and for subscription by, its stockholders of record at the close of business on November 6, 1959.

Rights will be evidenced by transferable Warrants mailed to Common Stockholders. No fractional shares of Additional Common Stock will be issued. Additional Rights may be purchased to entitle the holder of a Warrant to subscribe to one or more full shares of Additional Common Stock or Rights may be sold. Warrants are fully transferable and may be divided or transferred.

Rights may be exercised by the surrender to the Subscription Agent of a Warrant or Warrants with the appropriate Form or Forms filled out and executed together with full payment of the Subscription Price for ALL shares subscribed for. Rights may be bought or sold through banks, brokers or investment houses.

Warrants and payments must be received by the Subscription Agent prior to the Expiration Date, except that if the Agent shall have received, prior to the Expiration Date, the full purchase price by telegram or otherwise, together with a guarantee in writing or by telegram from a bank or trust company or from a member of the National Association of Securities Dealers, Inc., to the effect that properly executed Warrants with respect to the shares subscribed for have been mailed, stating the registration numbers of such Warrants, such subscriptions will be accepted subject to receipt of the Warrants.

For the convenience of stockholders, the Company has entered into an agreement with the Subscription Agent under which a warrant holder may: (a) when forwarding his Warrant to the Subscription Agent for exercise of the Right place an order to buy sufficient Rights (NOT MORE THAN NINE) which, with the Rights represented by the Warrant, will permit him to subscribe for one or more full shares; or (b) forward his Warrant to the Subscription Agent and place an order to sell Rights represented by the Warrant (NOT MORE THAN NINE), in order that the Rights used, pursuant to the Subscription

Right, may be a multiple of ten. The Subscription Agent may offset such orders to buy and to sell; otherwise the execution of such orders is subject to the Subscription Agent finding the necessary buyer or seller. This service will be rendered without charge to warrant holders.

Certificates for Additional Common Stock subscribed for on Warrants will be delivered as soon as practicable after subscription is made.

The Company is also offering to its regular full-time employees (including officers) the contingent, non-transferable privilege of subscribing at the Subscription Price, during the subscription period, for not more than an aggregate of 2,000 shares of Additional Common Stock not subscribed for by stockholders under the Rights. If sufficient shares to meet all employees' subscriptions are not available, an initial allotment will be made among the employee-subscribers not holding or having exercised restricted stock options to purchase shares of Common Stock, so that each such subscriber shall receive as nearly as practicable the full number of shares subscribed for, but none shall receive more than five shares on this initial allotment. Remaining shares, if any, will thereafter be allotted on a pro rata basis among the same subscribers according to unsatisfied subscriptions to the nearest full share. Any shares then remaining available shall thereafter be allotted on a pro rata basis according to subscriptions of employee-subscribers holding or having exercised restricted stock options to the nearest full share. Unless payment is made in full at the time the subscription is allotted, payment shall be made through payroll deductions in approximately equal installments over a period of 12 months, but the balance may be prepaid at any time. Shares not paid for in full will not be issued to the employee, nor will he be entitled to dividends thereon. If any employee-subscriber is in default for thirty days on the payment of any subscription installment or wishes to discontinue payments, the balance of his subscription for shares not theretofore paid for will be cancelled. The Company will adopt such rules and regulations as may be necessary for the administration of this offer and the Company's interpretation of such rules and regulations shall be final.

The Company has entered into an agreement, a copy of which will be filed with the Commission, with Investment Bankers, under and by which, the Company has agreed to pay to them an underwriting commission of \$43,218.50 which commission is based upon the gross amount of the total sales price of the total shares of Additional Common Stock to be sold. By that agreement the Company agrees to sell to the said Investment Bankers and the latter agree, severally and not jointly, to purchase from the Company at the offering price per share all of the stock remaining after subscriptions have been made in the manner herein above described, said remaining stock being called "unsubscribed common stock." The investment bankers' syndicate which will purchase the unsubscribed stock will be headed by The First Boston Corporation, New York, New York.

The Underwriters' commissions equal  $3\frac{1}{4}$  per cent of the total gross sales price. Applicant's witness had previously testified that the Commission would not exceed 4% of total gross sales price, depending upon market conditions.

The issuance and sale of said shares of Additional Common Stock will reduce the Company's ratio of debt to total capitalization which was approximately 54% as of August 31, 1959.

The purpose of issuing and selling said shares of Additional Common Stock is to finance in part the Company's construction program and for other corporate purposes.

The Company estimates that such expenditures for the years 1960-1962, will be as follows:

1960 -	\$2,450,000
1961 -	\$2,565,000
1962 -	\$2,620,000

The Company's Balance Sheet as of August 31, 1959, and the Company's Income Statement for the Twelve Months Ended August 31, 1959, Exhibit "3" and Exhibit "4", respectively, are hereby included in this Statement, by reference.

It is estimated by the Company that the expense which it will incur in addition to the underwriting commission, in connection with the issuance and sale of said Additional Common Stock, will be approximately \$53,600.00. The Company proposes to amortize the total expense by monthly charges to earned surplus over a period of not to exceed 360 months. The gross proceeds from sale of the 66,490 shares will be \$1,329,800.

At the request of the Commission's staff, Applicant agreed to file within ninety days a pro forma balance sheet as of August 31, 1959, reflecting the position of the Company after the proposed financing by issuance and sale of the Additional Common Stock, and a copy of the final Prospectus.

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

##### THE COMMISSION FINDS:

That Applicant, Colorado Central Power Company, a

corporation, is a public utility, as defined by 115-1-4, Colorado Revised Statutes, 1953.

That this Commission has jurisdiction of said Applicant and the subject matter of the application herein.

That the Commission is fully advised in the premises.

That the issuance by Colorado Central Power Company of transferable Warrants, evidencing the stockholders' preemptive right to the shares of Common Stock to be offered, and the offering, issuance and sale by the Company of 66,490 additional shares of its Common Stock to its stockholders or their assignees, and the Underwriters, at a price of \$20.00 per share, are all proper, and are reasonably required and necessary for said Company to finance its construction program and for other corporate purposes.

That the proposed securities transactions on the terms and conditions recited herein, and for the purposes stated, are not inconsistent with the public interest, are permitted by, and are consistent with, the provisions of 115-1-4, Colorado Revised Statutes, 1953, and the order sought should issue, and should be made effective forthwith.

#### O R D E R

##### THE COMMISSION ORDERS:

That Colorado Central Power Company, a Delaware corporation, authorized to do business in the State of Colorado, be, and it hereby is, authorized to offer to its stockholders of record as of November 6, 1959, for subscription by them or their assignees, 66,490 shares of its Common Stock having a par value of \$2.50 per share, at the subscription price of \$ 20.00 per share.

That said Company be, and it is hereby, authorized to issue to its stockholders transferable Warrants evidencing the preemptive right of the stockholders to subscribe for the Common Stock so offered.

That the offering, issuance and sale of the Common Stock shall be in accordance with the terms and conditions hereinbefore set forth.

That the Company is authorized to sell to the Underwriters any unsubscribed portion of the said Common Stock at the offering price of \$ 20.00 per share, and to pay to the Underwriters a total of \$ 43,218.50 as an underwriting commission, and to pay other expenses in connection with the issuance and sale of the 66,490 shares of such stock.

That, except as otherwise herein specifically provided in this Order, the terms of offering and sale of said stock shall be such as are set forth in the preliminary Prospectus referred to, supra, and the Company is hereby authorized to amortize all expenses of the sale by monthly charges to earned surplus over a period of not to exceed 360 months.

That the stock certificates to be issued pursuant to said plan shall bear on the face thereof a serial number for the proper and easy identification thereof, and that, within ninety (90) days from date of issue, Applicant shall make a verified report to the Commission of such number which is placed on said certificates.

That the Company shall make a verified report to this Commission within ninety (90) days from the date hereof, showing in detail its expenses in connection with the issuance and sale of said additional Common Stock.

Within ninety (90) days, Applicant shall file a pro forma balance sheet as of August 31, 1959, reflecting the position of the Company after the proposed financing by issuance and sale of the additional Common Stock and a copy of the final Prospectus.

That nothing herein shall be construed to imply any recommendation or guaranty of, or any obligation with respect to issuance of the aforementioned Capital Stock on the part of the State of Colorado.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph T. Nigro  
Ralph C. Hoken  
Oliver G. Harlins  
Commissioners

Dated at Denver, Colorado,  
this 12th day of November, 1959.

ea