

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JAMES R. NALL, DOING BUSINESS AS)
"WALKER PIANO COMPANY," 1345) PUC NO. 3798
SOUTH BROADWAY, DENVER, COLORADO.)

December 18, 1962

S T A T E M E N T

By the Commission:

James R. Nall, owner and operator of PUC No. 3798, has requested authority to do business under the trade name and style: "Piano Moving & Storage Company," rather than "Walker Piano Company," in operations under said certificate, and has advised the Commission his address has been changed from: "1345 South Broadway," to: "1436 South Logan Street."

F I N D I N G S

THE COMMISSION FINDS:

That the records of the Commission should be changed, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the Secretary of the Commission is hereby directed to change the records of the Commission to show PUC No. 3798 to be owned and operated by"

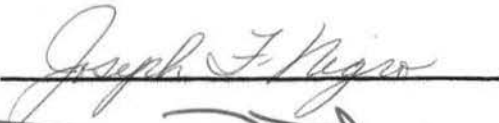


"James R. Nall, doing business as
'Piano Moving & Storage Company,'
1436 South Logan Street,
Denver 10, Colorado,

in lieu of:

"James R. Nall, doing business as
'Walker Piano Company,'
1345 South Broadway,
Denver 10, Colorado."

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 18th day of December, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT W. AND LOIS E. ELLEDGE)
DBA ELLEDGE ENTERPRISES)
Box 62)
Granby, Colo.)
-----)

AUTHORITY NO. M 436
CASE NO. 7308 Ins.

December 19, 1962

S T A T E M E N T

By the Commission:

On December 28, 1962, in the above Case, the Commission entered its Order revoking the above Authority for failure to maintain effective insurance on file with the Commission. Proper insurance filing has now been made with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said Authority should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That said Authority be, and the same hereby is, reinstated, as of the date of revocation, and the said revocation Order be, and the same hereby is, vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph J. Negro
Ralph C. Norton
Henry L. Zambler
Commissioners

Dated at Denver, Colorado,
this 19th day of December, 1962

original

(Decision No. 59822)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF	}	<u>APPLICATION NO. 19502-Transfer</u>
ALVIN CURRY, JR., AND MARLENE CURRY,		
DOING BUSINESS AS "JONES TRANSFER		
COMPANY," 609 STATE AVENUE, ALAMOSA,		
COLORADO, FOR AUTHORITY TO TRANSFER		
PUC NO. 353 TO IMOGENE T. JONES,		
DOING BUSINESS AS "W. A. JONES		
TRANSFER COMPANY," 609 STATE		
AVENUE, ALAMOSA, COLORADO.		

December 18, 1962

Appearances: Jesse E. Pound, Esq.,
Alamosa, Colorado, for
Transferee;
Elizabeth A. Conour, Esq.,
Del Norte, Colorado, for
Fred Gibson, for copy
of Order.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Alvin Curry, Jr., and Marlene Curry, doing business as
"Jones Transfer Company," Alamosa, Colorado, are the owners and
operators of PUC No. 353, authorizing:

The conduct of a transfer, moving and general
cartage business in the Counties of Alamosa,
Saguache, Rio Grande, and Conejos, in the
State of Colorado, and for occasional service
throughout the State of Colorado, and in each
of the Counties thereof, subject to the follow-
ing conditions: for the transportation of
commodities other than household goods between
points served singly or in combination by
scheduled carriers, the applicant shall charge
rates which shall be as much as twenty per cent
higher in all cases than those charged by
scheduled carriers. The applicant shall not
operate on schedule between any points. The
applicant shall not be permitted, without
further authority from the Commission, to es-
tablish a branch office or to have an agent
employed in any other town or city than Alamosa,
for the purpose of developing business,

and by the instant application, seek authority to transfer said PUC
No. 353 to Imogene T. Jones, doing business as "W. A. Jones Transfer
Company," Alamosa, Colorado.

The application was set for hearing on December 13, 1962, at ten o'clock A. M., at the City Hall, Alamosa, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner, states and finds:

That no one protests the granting of the application.

That by virtue of a certain Judgment and Decree of Foreclosure entered in Civil Action No. 3269, District Court of Alamosa County, Colorado, transferors herein have surrendered and quit-claimed unto the transferee herein PUC No. 353; that the transferee is a fit and proper person, has sufficient equipment and is financially able to render and continue operations under said certificate.

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

O R D E R

THE COMMISSION ORDERS:

That Alvin Curry, Jr., and Marlene Curry, doing business as "Jones Transfer Company," Alamosa, Colorado, be, and they hereby are, authorized to transfer all their right, title and interest in and to PUC No. 353 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Imogene T. Jones, doing business as "W. A. Jones Transfer Company," Alamosa, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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


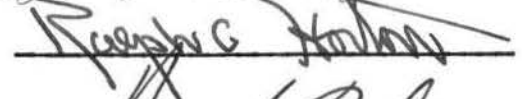

and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatiwally 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 application, 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




Commissioners.

Dated at Denver, Colorado,
this 18th day of December, 1962.
ea

(Decision No. 59823)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE VARIOUS PROCEEDINGS INVOLVING
THE MINIMUM CHARGE FOR A SINGLE
SHIPMENT FROM ONE CONSIGNOR TO ONE
CONSIGNEE ON ONE BILL OF LADING IN
ONE DAY; ALSO A SURCHARGE OF FIFTY
(50¢) CENTS ON EACH BILL OF LADING
COVERING SHIPMENTS WEIGHING 2,000
POUNDS OR LESS; ALSO OTHER MATTERS
MORE SPECIFICALLY SET FORTH IN THE
STATEMENT. -----

CASE NO. 1585
INVESTIGATION AND SUSPENSION
DOCKET NOS. 427 & 439

December 18, 1962

S T A T E M E N T

BY THE COMMISSION:

On September 14, 1962, Decision No. 59282, the Commission prescribed minimum charges, rates, rules and provisions for application in connection with certain carriers named in said decision, to become effective on October 12, 1962, on five days' notice to the Commission and to the general public. The effective date was changed to January 1, 1963 by Decision No. 59399 dated October 5, 1962.

Under Decision No. 59282, Finding 7, the following provision was prescribed, viz:

"The distance scale of class rates and the rules and provisions set forth in Appendix "C" attached hereto, and made a part hereof, should apply on local and joint movements via the following motor vehicle common carriers, viz: Overland Motor Express, Inc., d/b/a/ Boulder-Denver Truck Line; Lowell E. Brooks and Wendell B. Brooks, d/b/a Brooks Transportation Company; Denver-Laramie-Walden Truck Line, Inc.; Floyd A. Henrikson, d/b/a Denver-Loveland Transportation; C. R. Bryant, d/b/a Evergreen Freight Line; Burlington Truck Lines, Inc;

H. H. Harp, d/b/a Harp Transportation Line; Russell R. and Mauverdene Robinson, d/b/a K & K Transfer Company (not applicable on joint movements); Brighton-Ft. Lupton Transportation Company; McKie Transfer Company; North Eastern Motor Freight, Inc.; and Yuma County Transportation Company."

On December 7, 1962, The Colorado Motor Carriers' Association, as Agent, by its Attorney, John P. Thompson, filed its application No. 213, petitioning the Commission to amend Finding 7 on Page 20 of Decision No. 59282, by adding, following the words "Burlington Truck Lines, Inc." the language "(not applicable on joint movements)".

In support of the application the petition in part states that the Colorado Motor Carriers Association is the agent for the purpose of tariff publication, for all of the carriers named in Finding 7, Page 20, of Decision No. 59282, except Burlington Truck Lines, Inc. In order for Burlington to participate in joint rates with the other carriers named in Finding 7, they would have to be a party to the Association tariff publication containing the joint rates, or the other carriers would have to participate in the publication containing the Burlington rates; viz: Motor Tariff Service.

The Association has inquired of Burlington to determine what volume of traffic would be affected by the requested change and it has been determined that Burlington has never interlined Colorado intrastate freight shipments with any of the carriers party to this proceeding.

F I N D I N G S

THE COMMISSION FINDS:

That under the existing circumstances and conditions the request should be granted.

O R D E R

THE COMMISSION ORDERS, That:

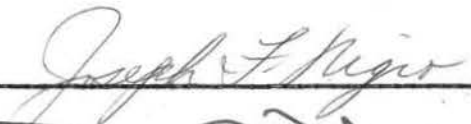
1. The Statement and Findings be, and they are hereby made a part hereof.


2. This order shall become effective forthwith.


3. That Paragraph 7, Page 20 of Decision No. 59282 be and the same is hereby amended as follows, viz: Burlington Truck Line, Inc. (Not applicable on joint movements).

4. The Order entered in Case No. 1585, dated February 5, 1936 as since amended shall continue in force and effect until further order of the Commission.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado this
18th day of December, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MANUEL A. SILVA, IGNACIO, COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-13529

December 20, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Manuel A. Silva,
Ignacio, Colorado
requesting that Permit No. M-13529 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13529, heretofore issued to Manuel A. Silva,
Ignacio, Colorado be,
and the same is hereby, declared cancelled effective November 29, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 20th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JOSE A. CASTILLEJA, P. O. BOX)
335, FREDERICK, COLORADO.)
-----)

PERMIT NO. B-6100

December 20, 1962

S T A T E M E N T

By the Commission:

On October 2, 1962, the Commission authorized Jose A. Castilleja to suspend operations under his Permit No. B-6100 until April 2, 1963.

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

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-6100, should be, and the same hereby is, reinstated as of December 20, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Johnston
Wm. E. Zwick
Commissioners

Dated at Denver, Colorado,
this 20th day of December, 1962.

revised

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

MAC BICKLING AND DOROTHY BICKLING,)
DOING BUSINESS AS "BRIGHTON CAB,") CASE NO. 5231
BRIGHTON, COLORADO.)
-----)

IN THE MATTER OF THE APPLICATION OF)
MAC BICKLING, DOING BUSINESS AS)
"BRIGHTON CAB," 50 SOUTH FIRST) APPLICATION NO. 19464-Extension
STREET, BRIGHTON, COLORADO, FOR)
AUTHORITY TO EXTEND OPERATIONS)
UNDER PUC NO. 1791.)
-----)

December 20, 1962

Appearances: George Fischer, Esq., Brighton,
Colorado, for Brighton Cab;
Raymond B. Danks, Esq., Denver,
Colorado, for Package De-
livery Service.

S T A T E M E N T

By the Commission:

The above-styled matters were regularly set for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, December 4, 1962, at two o'clock P. M., at which time and place Application No. 19464 was heard and taken under advisement. At the same time and place, upon request of applicant, and without objection, Case No. 5231 was continued to be later re-set for hearing before the Commission, with notice to all parties in interest.

Applicant herein is the owner and operator of PUC No. 1791, authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

Transportation of passengers and their hand baggage, in cabs of not to exceed 5-passenger capacity, between points in the area within a radius of 10 miles of and including the City of Brighton, and from points in same radius, to Denver, Stapleton Airport, Lafayette, and

Boulder, Colorado, and return -- that is, transportation of passengers and their hand baggage from Denver, Stapleton Airport, Lafayette and Boulder, to points in said 10-mile area, including Brighton, is limited to (and in connection with), roundtrip service, only, where passenger is taken from said area to Denver, Stapleton Airport, Lafayette, or Boulder, and returned in the same vehicle, with waiting time of not to exceed one hour at Denver, Stapleton Airport, Lafayette, or Boulder, Colorado.

Said certificate-holder herein seeks authority to extend operations under said PUC No. 1791, to include the right to operate in messenger and package delivery business, from points and places in Brighton, Colorado, on the one hand, to points and places in Brighton, Colorado, on the other, and a ten-mile radius, including Brighton, limited to (and in connection with) round-trip service, only, where passenger is taken from said area to Denver, Stapleton Airport, Lafayette, or Boulder, Colorado, limiting the package delivery authority to packages of one hundred pounds or less.

By stipulation of protestants, applicant agreed to amend his application, and to limit authority herein sought to transportation of packages, parcels, baggage, messages, letters, and documents, provided that such service shall be performed by taxicab, only, upon items not exceeding one hundred pounds in weight, with a delivery charge for said service from one point of origin to one point of destination not being less than for a passenger between the same points.

Evidence was adduced at the hearing to establish that this is the only taxicab service in the City of Brighton and environs. Applicant has been rendering this type of service for some time, not being aware of the fact that his certificate did not authorize this type of service. Although the amount of service of this nature is small, it is often required by hospitals, for ice, messages, drugs, and delivery of groceries.

Applicant testified it is basically an accommodation feature, and is not designed in any manner to expand the service of applicant.

On the basis of the stipulation, protestants withdrew any objection to the granting of authority herein sought.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require the extended motor vehicle common carrier service of applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That hearing of Case No. 5231 be, and the same hereby is, continued to a future date to be determined by the Commission.

That public convenience and necessity require the extended motor vehicle common carrier service of Mac Bickling, doing business as "Brighton Cab," Brighton, Colorado, under PUC No. 1791, to include the right to transport packages, parcels, baggage, messages, letters, and documents, from points and places in Brighton, Colorado, on the one hand, to points and places in Brighton, Colorado, on the other hand, and a ten-mile radius thereof, including Brighton, provided that such service shall be performed by taxicab, only, upon items not exceeding one hundred pounds in weight, with a delivery charge for said service from one point of origin to one point of destination not being less than for a passenger between the same points, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

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

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

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

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



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph G. Halon
Frank J. Padgett
Commissioners.

Dated at Denver, Colorado,
this 20th day of December, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE APPLICATION OF WILLIE JONES)
FOR WAIVER OF RATES, RULES AND)
REGULATIONS AS PRESCRIBED IN)
CASE NO. 1585. -----)

CASE NO. 1585

December 19, 1962

S T A T E M E N T

BY THE COMMISSION:

On December 10, 1962, John P. Norman filed for and on behalf of Willie Jones, 2307 Curtis Street, Denver, Colorado an application requesting that applicant be authorized to waive observance of rates, rules and regulations prescribed in Case No. 1585.

On November 7, 1962, the Commission issued a private carrier "B" permit to Willie Jones authorizing the transportation of junk, only, viz: discarded rubber tires and junk iron, between points within a radius of twenty-five miles of Denver, Colorado, per its Decision No. 59568.

The Petitioner states in its application that:

"By virtue of the statement, findings and order of the Commission, (in this instance Decision No. 59568), there is no reason to believe that this carrier will in any way interfere with the rates or with a common carrier; therefore this operation should not be subject to the rates, rules and regulations as prescribed by the Commission in Case 1585.

(Wording and underscoring supplied).

"There is no way to determine how many tires applicant will transport the same being true with junk iron within a radius of 25 miles of Denver. In a good many cases applicant will load tires and junk iron on the vehicle which is delivered to various consignees depending upon their need.

"In view of the type of operation conducted by applicant, it is impossible to perform an operation in compliance with the rates which have been prescribed by the Commission. There being numerous formulas prescribed, carrier cannot constantly examine the authority of the various carriers."

No objection was raised at the hearing to the issuance of the permit embracing authority, as outlined above.

F I N D I N G S

THE COMMISSION FINDS, That:

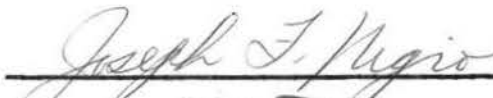
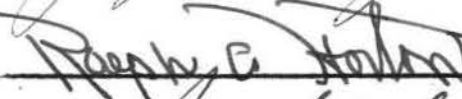

By reason of the above facts and those developed at the hearing on the application for a permit, the Commission concludes that its prescribed rates, rules and regulations should not apply to this operation.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings herein be and they are hereby made a part hereof.
2. The rates, rules and regulations prescribed in Case 1585, shall not apply to the operations of Willie Jones under private permit, (See Decision No. 59568, dated November 7, 1962), issued for the transportation of junk, only, viz: discarded rubber tires and junk iron, between points within a radius of twenty-five miles of Denver, Colorado.
3. This action is taken without prejudice should a complaint be filed at some subsequent date relative to any potential competitive situation which may exist between said service and that of a common carrier service.
4. The applicant, shall file with the Commission, a tariff in the proper form according to the "Rules and Regulations Governing Private Carriers by Motor Vehicle" setting forth the minimum rates and charges and the necessary rules governing its operations.
5. This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado
this 19th day December, 1962

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MELVIN R. BURD AND EVERETT W. BURD,)
DOING BUSINESS AS, "BURDS O. K.)
RUBBER WELDERS", 917 MAIN, LONGMONT,)
COLORADO.)
-----)

PERMIT NO. M-5506

December 20, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Melvin R. Burd & Everett W. Burd, doing business as, "Burds O. K. Rubber Welders", Longmont, Colorado requesting that Permit No. M-5506 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5506, heretofore issued to Melvin R. Burd & Everett W. Burd, doing business as, "Burds O. K. Rubber Welders", Longmont, Colorado be, and the same is hereby, declared cancelled effective November 18, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 20th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LESTER CHANDLER, COWDREY, COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-1763

December 27, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Lester Chandler,
Cowdrey, Colorado
requesting that Permit No. M-1763 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1763, heretofore issued to Lester Chandler,
Cowdrey, Colorado be,
and the same is hereby, declared cancelled effective January 1, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Fortson
Wm. E. Zank
Commissioners

Dated at Denver, Colorado,
this 1st day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
LESTER CHANDLER, COWDREY, COLO-)
RADO.)

PUC NO. 1763 & I

December 27, 1962
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that his PUC No. 1763 & I be suspended for six months from January 1, 1963.

F I N D I N G STHE COMMISSION FINDS:

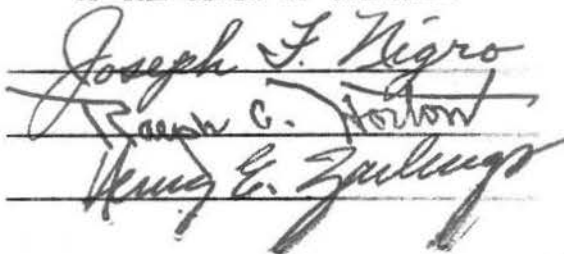
That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Lester Chandler, Cowdrey, Colorado

 be, and is hereby, authorized to suspend operations under PUC No. 1763 & I until July 1, 1963.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 27th day of December, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LA SALLE MINING COMPANY (CORPORATION),
P. O. BOX 217, GRAND JUNCTION, COLO-
RADO.)
-----)

PERMIT NO. M-4745

December 27, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from La Salle Mining Company,
(Corporation), Grand Junction, Colorado
requesting that Permit No. M-4745 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4745, heretofore issued to La Salle Mining Company,
(Corporation), Grand Junction, Colorado be,
and the same is hereby, declared cancelled effective November 8, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Commissioners

Dated at Denver, Colorado,
this 27th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DEAN H. PENDLEY, GENERAL DELIVERY,)
GUNNISON, COLORADO.)

PERMIT NO. M-7749

December 27, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Dean H. Pendley,
Gunnison, Colorado
requesting that Permit No. M-7749 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7749, heretofore issued to Dean H. Pendley,
Gunnison, Colorado be,
and the same is hereby, declared cancelled effective December 17, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Hobart
Wm E. Ziehlings
Commissioners

Dated at Denver, Colorado,
this 27th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LAKEWOOD LUMBER YARD, INCORPORATED,)
1595 CARR STREET, LAKEWOOD, COLORADO.)
_____))
_____)

PERMIT NO. M-4603

December 27, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Lakewood Lumber Yard,
Inc., Lakewood, Colorado
requesting that Permit No. M-4603 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4603, heretofore issued to Lakewood Lumber Yard, Inc.
Lakewood, Colorado be,
and the same is hereby, declared cancelled effective October 31, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Horton
Wm. E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 27th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROCKMONT SALE COMPANY (CORPORATION),)
198 WEST ALAMEDA, DENVER 23, COLO-)
RADO.)
-----)

PERMIT NO. M-13161

January 3, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Rockmont Sales Company,
(Corporation), Denver 23, Colorado
requesting that Permit No. M-13161 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13161, heretofore issued to Rockmont Sales Company,
(Corporation), Denver 23, Colorado be,
and the same is hereby, declared cancelled effective July 31, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph T. Higney
Joseph C. Higney
Henry L. Ziegler
Commissioners

Dated at Denver, Colorado,

this 3rd day of January, 19 63.

* * *

RE MOTOR VEHICLE OPERATIONS OF)
J. C. SWANK, 7778 QUIVAS STREET,)
DENVER 21, COLORADO.)

PERMIT NO. B-6261

January 3, 1963

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-6261 be suspended
for six months from December 12, 1962.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That J. C. Swank, Denver 21, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-6261 until June 12, 1963.

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. Nigro
Samuel G. Norton
Wm. E. Zerkow
Commissioners

Dated at Denver, Colorado,
this 3rd day of January, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CENTURY SUPREME CORPORATION, 6927)
LOWELL BOULEVARD, DENVER 21, COLORADO)
-----)

PERMIT NO. M-9547

January 3, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Century Supreme
Corporation, Denver 21, Colorado
requesting that Permit No. M-9547 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9547, heretofore issued to Century Supreme
Corporation, Denver 21, Colorado be,
and the same is hereby, declared cancelled effective December 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Wilson
Commissioners

Dated at Denver, Colorado,

this 3rd day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
COLORADO TRADING AND TRANSFER)
COMPANY (CORPORATION), P. O. BOX)
66, VICTOR, COLORADO.)

PUC NO. 1357

January 3, 1963
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that their PUC No. 1357 be further suspended for six months from January 1, 1963.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Colorado Trading & Transfer Company (Corporation),
Victor, Colorado
_____ be, and is hereby, authorized to further suspend
operations under PUC No. 1357 until July 1, 1963.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 3rd day of January, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
COLORADO TRADING AND TRANSFER)
COMPANY (CORPORATION), P. O.)
BOX 66, VICTOR, COLORADO.)

PERMIT NO. A-594

January 3, 1963
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that their Permit No. A-594 be further suspended for six months from January 1, 1963.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Colorado Trading & Transfer Company (Corporation),
Victor, Colorado
be, and is hereby, authorized to further suspend their operations under Permit No. A-594 until July 1, 1963.

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

Commissioners

Dated at Denver, Colorado,
this 3rd day of January, 1963.

original

(Decision No. 59840)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
COLORADO UTE ELECTRIC ASSOCIATION,)	
INC., P. O. BOX 178, MONTROSE, COLO-)	
RADO, FOR AN ORDER AUTHORIZING IT TO)	APPLICATION NO. 19477-Securities
EXECUTE A NOTE IN FAVOR OF THE)	
UNITED STATES OF AMERICA.)	

December 21, 1962

Appearances: Raphael J. Moses, Esq., Boulder,
Colorado, and
J. A. Hughes, Esq., Montrose,
Colorado, for Applicant;
John R. Barry, Esq., Denver,
Colorado, and
Sidney G. Baucom, Esq., Salt
Lake City, Utah, for Protestant
and Intervenor Western Colorado Power Co;
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:

On November 26, 1962, Colorado Ute Electric Association, Inc., (Colorado Ute) filed with the Commission the above-entitled application for authority and approval of a mortgage note for \$236,100 identified as Colorado 46 TP 2 Ute (Colorado 20 L Delta) by Colorado Ute Electric Association, Inc., to the United States of America. The purpose of the borrowing of this \$236,000 is for the purchase of transmission lines, substations and related equipment now owned and operated by Delta-Montrose Rural Power Lines Association (Delta-Montrose).

This matter was set for hearing, after due notice to all interested parties on Monday, December 10, 1962, at 2:00 P. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and at the conclusion of the hearing at said time and place,

the matter was taken under advisement.

On December 4, 1962, Western Colorado Power Company filed its Petition for leave to intervene in these proceedings, alleging among other things that Applicant's acquiring the transmission facilities of Delta-Montrose Rural Power Lines Association, would be detrimental to Western Colorado Power Company, and would impair its ability to serve the public.

Prior to the commencement of the hearing on the aforesaid application, arguments of counsel for Western Colorado Power Company in support of said Petition and arguments of counsel for Applicant in opposition to the granting of said Petition were presented. Upon consideration of said Petition and the arguments of counsel, it was ruled that the Petition did not present substantial grounds for intervention nor show a substantial interest in the subject matter in this proceeding or any part thereof. Therefore, Western Colorado Power Company's Petition for leave to intervene was denied and it will be so ordered.

Colorado Ute Electric Association, Inc., is a non-profit Colorado corporation incorporated under Chapter 41, Article 16, Colorado Statutes Annotated, 1935, for the purpose of generating, transmitting and distributing electric energy to its members only and to such other things as provided for by the Articles of Incorporation filed with the Secretary of State of the State of Colorado. Colorado Ute Electric Association, Inc., is considered to be a public utility and subject to the regulation and authority of this Commission under the provisions of Section 115-1-3, CRS 1953.

Applicant is a cooperative composed of rural electric cooperatives and serves only cooperatives and is financed by loans from the United States of America.

Delta-Montrose Rural Power Lines Association is a member of Applicant and purchases power at wholesale from Applicant. In accordance with such relationship, Applicant has contracted and agreed with

Delta-Montrose Rural Power Lines Association to purchase transmission lines, substations and related equipment from Delta-Montrose Rural Power Lines Association, and on April 19, 1962, entered into an Agreement with Delta-Montrose for the purchase of such transmission lines, substations and related equipment as set forth in Exhibit A of these proceedings. A Transfer Agreement was also entered into by Delta-Montrose Rural Power Lines, Colorado Ute Electric Association, Inc., and the United States of America, dated as of September 1, 1962, being Exhibit B of these proceedings.

Mr. John J. Bugas, Manager, Colorado Ute Electric Association, Inc., testified that it is and has been the policy of Colorado Ute to own and maintain transmission lines serving its members and that over a period of time, it has acquired and is acquiring, such facilities by purchase and assumption of the debt related thereto. He further stated that this policy was considered to be proper for the efficient operation of the generating and transmission facilities of Colorado Ute in connection with serving its respective members. Colorado Ute is experienced and equipped to maintain such transmission facilities better than the distribution cooperatives themselves. Such policy eliminates duplication of maintenance equipment and manpower and facilitates better transmission service. Such ownership and maintenance policy of transmission facilities is set forth in Exhibit E in these proceedings.

Mr. F. M. Peterson, Manager of Delta-Montrose, testified that it was advantageous for Delta-Montrose to sell its transmission facilities to Colorado Ute and have them operated and maintained by Colorado Ute. He stated that although Colorado Ute assumed the service of the debt related to the transmission facilities, there would be no increase in wholesale rates to Delta-Montrose. This no rate increase was also confirmed by Mr. Bugas's testimony. The transmission facilities, including the substations of Delta-Montrose to be transferred to Colo-

rado Ute, was set forth in Exhibit F. The original cost was \$264,348 as of December 31, 1961. The accumulated depreciation on these properties at that date was \$28,235, thus leaving a net book cost of \$236,113.

As evidence of Colorado Ute's financial position, Applicant introduced into evidence its financial statements, Balance Sheet, and Statement of Revenue and Expenses for the year ended December 31, 1961. This statement, among other things, showed that at the end of 1961 the accumulated deficit stood at \$410,296, after net operating losses for the year 1961 of \$143,808. Mr. Bugas, General Manager, upon cross examination, testified that operations during the year 1962 would result in operating losses of approximately the same as for the previous year. He stated that Colorado Ute would be able to service the assumed debt of \$236,100 from Colorado Ute's cash resources.

Mr. Bugas stated also that Colorado Ute would file as a late filed exhibit financial statements for the year ending October 31, 1962, or November 1962, similar to those presented in Exhibit D herein.

F I N D I N G S

THE COMMISSION FINDS:

That Colorado Ute Electric Association, Inc., is a Colorado corporation and is a public utility as defined in Chapter 115-1-3, Colorado Revised Statutes, 1953.

That the Commission is fully advised in the premises.

That the Commission has jurisdiction of Applicant and the subject matter of the application herein.

That the above and foregoing Statement be incorporated as part of these Findings.

That the issuance of the mortgage note to the United States of America for \$236,100, Exhibit C, is not inconsistent with the public interest or with the provisions of the law governing such transactions and should be authorized and approved.

That within one hundred twenty (120) days of the final execution of the mortgage note for \$236,100 to the United States of America authorized herein, Applicant should file with the Commission one conformed executed copy.

O R D E R

THE COMMISSION ORDERS:

That the Petition for Leave to Intervene filed by Western Colorado Power Company, be, and the same is, hereby denied.

That the issuance of the mortgage note for \$236,100 by Colorado Ute Electric Association, Inc., to the United States of America, Exhibit C, be, and the same is hereby, authorized and approved.

That within one hundred twenty (120) days of the final execution of the mortgage note for \$236,100 to the United States of America authorized herein, Applicant shall file with the Commission one such conformed executed copy.

That nothing herein contained shall be construed to imply, any recommendation or guaranty of, or any obligation with respect to, said securities on the part of the State of Colorado.

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

The Commission by this its Order approves the Petition and authorizes the proposed securities transactions described in Applicant's Petition.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. [unclear]
Dennis C. Zarlengo
Commissioners.

Dated at Denver, Colorado,
this 21st day of December, 1962.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ALECK A. HURLEY, 1285 NEWTON STREET,)
DENVER, COLORADO, FOR AUTHORITY TO)
TRANSFER PUC NO. 3631 TO DAVID L.) APPLICATION NO. 19467-Transfer
HURLEY, 1438 SOUTH LOGAN STREET,)
DENVER, COLORADO.)

IN THE MATTER OF THE APPLICATION OF)
ALECK A. HURLEY, 1285 NEWTON STREET,)
DENVER, COLORADO, FOR AUTHORITY TO)
TRANSFER PUC NO. 3631 TO ALECK A.) APPLICATION NO. 19467-Transfer
HURLEY AND DAVID L. HURLEY, 1438) AMENDED
SOUTH LOGAN STREET, DENVER, COLORADO.)

December 21, 1962

Appearances: Aleck A. Hurley, Denver,
Colorado, pro se;
David L. Hurley, Denver,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Aleck A. Hurley, Denver, Colorado, is the owner and operator
of PUC No. 3631, authorizing:

transportation of ashes, trash, and other
waste materials, between points within the
City and County of Denver, and from points
within 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,

and by the amended application seeks authority to transfer said PUC No.
3631 to Aleck A. Hurley and David L. Hurley, Denver, Colorado.

The application was set for hearing on December 5, 1962, at
9:30 o'clock A. M., in the Hearing Room of the Commission, 532 State
Services Building, Denver, Colorado. The same was then and there heard
by an Examiner duly designated and to whom the hearing was assigned by

the Commission. After the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner states and finds:

That the transferees are fit and proper persons, have sufficient equipment and operating experience, and are financially able to render and continue operations under said certificate.

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 Aleck A. Hurley, Denver, Colorado, be, and hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 3631 -- with authority as set forth in the preceding Statement, which is hereby made a part hereof by reference -- to Aleck A. Hurley and David L. Hurley, Denver, Colorado, subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

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

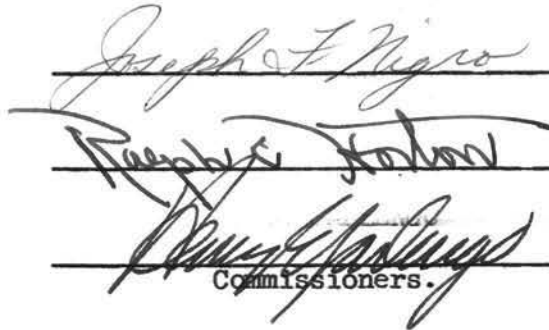
mission, upon proper application.

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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

Dated at Denver, Colorado,
this 21st day of December, 1962.

mls

original

(Decision No. 59842)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CONRAD G. EHART, 385 LINDA SUE, DEN-)
VER, COLORADO, FOR A CLASS "B" PER-)
MIT TO OPERATE AS A PRIVATE CARRIER)
BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 19482-PP

December 21, 1962

STATEMENT AND FINDINGS OF FACT

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 home 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 restricted against the use of tank vehicles.

The application was set for hearing on December 10, 1962, at ten o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The same was then and there called up for hearing by an Examiner duly designated and to whom the hearing was assigned by the Commission. The applicant failed to appear

in person, or by representative, and no protestant appearing the files were made a part of the record and the matter taken under advisement. Thereafter said Examiner transmitted to the Commission the record and files of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services; that the applicant will have sufficient equipment and experience to properly carry on the proposed operation; and, that the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority as provided in the following Order will be in the public interest and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Conrad G. Ehart, 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 home 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 vehicles.

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


Commissioners.

Dated at Denver, Colorado,
this 21st day of December, 1962.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
THE VALLEY COOPERATIVE TELEPHONE)	
COMPANY, STRASBURG, COLORADO, FOR)	
AUTHORITY TO TRANSFER CERTIFICATE OF)	<u>APPLICATION NO. 19506-Transfer</u>
PUBLIC CONVENIENCE AND NECESSITY TO)	
THE STRASBURG TELEPHONE COMPANY,)	
STRASBURG, COLORADO.)	

December 24, 1962

Appearances: John J. Flynn, Jr., Esq.,
Denver, Colorado, for
Applicants;
Everett R. Thompson, Den-
ver, Colorado, and
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 December 4, 1962. The matter was set for hearing by the Commission on December 18, 1962, at nine thirty o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. Notice was sent to all interested parties including certain customers of the Company who are not members of the cooperative. The hearing was heard at said time and place, and no one appeared in opposition to the granting of the application. At the conclusion of the hearing, the matter was taken under advisement by the Commission.

The Valley Cooperative Telephone Company holds a certificate of public convenience and necessity from this Commission to operate as a public utility rendering telephone service by virtue of Application No. 11647, Decision No. 38277, of March 20, 1952. Valley is authorized to render telephone service in the following described area:

Starting at a point at the S. W. corner of Sec. 31, T. 3 South, Range 62 W., Adams County, Colorado, thence north six miles to the N.W. corner of Sec. 6, T. 3 S., R. 62 W., Adams County; thence east one mile to the N.E. corner of Sec. 6, T. 3 S., R. 62 W.; thence north nine miles to the N.W. corner of Sec. 20, T. 1 S., R. 62 W.; thence east five miles to the N.E. corner of Sec. 24, T. 1 S., R. 62 W.; thence south five miles to the S.E. corner of Sec. 12, T. 2 S., R. 62 W.; thence west one mile to the S.W. corner of Sec. 12, T. 2 S., R. 62 W.; thence south ten miles to the S.W. corner of Sec. 35, T. 3 S., R. 62 W.; thence west five miles to the point of beginning, all within Adams County, Colorado.

Starting at a point at the N.W. corner of Sec. 6, T. 4 S., R. 62 W., Arapahoe County, Colorado; thence south nine miles to the S.W. corner of Sec. 18, T. 5 S., R. 62 W.; thence east two miles to the S.E. corner of Sec. 17, T. 5 S., R. 62 W.; thence south three miles to the S.W. corner of Sec. 33, T. 5 S., R. 62 W.; thence east two miles to the S.E. corner of Sec. 34, T. 5 S., R. 62 W.; thence north twelve miles to the N.E. corner of Sec. 3, T. 4 S., R. 62 W.; thence west four miles to the point of beginning, all within Arapahoe County, Colorado.

Testimony at the hearing revealed that Valley Cooperative Telephone Company has been rendering telephone service as a public utility in the above described area since the granting of the certificate. Its rates, rules and regulations are on file with the Commission. It presently renders telephone service to 65 members of the cooperative and to approximately 200 customers who are not members of the cooperative. Originally, Valley had an income tax exemption under Section 101 (10) of the Internal Revenue Code of 1939 as a cooperative organization. However, since Valley now serves more non-members than members, it no longer has this exemption. At a meeting held at Strasburg, Colorado, September 26, 1962, the members of Valley Cooperative Telephone Company passed the following Resolution:

- "I. That a Colorado Corporation be formed for the purpose of purchasing the entire assets and assuming all the liabilities of the Valley Cooperative Telephone Company.
- "II. That all of the property and assets of the Company, including the goodwill and Certificate of

Public Convenience and Necessity, be assigned and sold to the new Corporation to be formed, in exchange for stock of the new Corporation and the new Corporation assumes all of the liabilities of this Company, or upon substantially the above terms.

"III. That the Valley Cooperative Telephone Company be dissolved and that the stock in the new Corporation be distributed to the present members of this Company at the rate of one (1) share for every one (1) share presently held in this Company.

"IV. That the officers of The Valley Cooperative Telephone Company are instructed and authorized to do what ever is necessary to carry out the re-organization of the present business structure of the Company."

Subsequent to the passing of the above Resolution, a new Colorado corporation was organized under the general corporation laws of Colorado to be known as "Strasburg Telephone Company," a copy of the Articles of Incorporation of the Strasburg Telephone Company, certified to by the Secretary of the State of Colorado, has been filed in the instant matter as Exhibit "A." The initial officers and directors of the Strasburg Telephone Company will be the same as are now serving in that capacity with Valley. The employees will remain the same. The stock of Strasburg will be held in the same ratio by the same stockholders as is presently held in Valley. The only intent is to reorganize the Company since a cooperative for non-profit is no longer feasible. Strasburg will adopt the rates, rules and regulations of Valley and the closing book entries of Valley will be the opening entries of Strasburg. At the time that Strasburg takes over, Valley will be dissolved as a corporation. The financial statement consisting of a Balance Sheet as of October 31, 1962, and an Income Statement from January 1 to October 31, 1962, was also filed herein as Exhibit "B."

In view of the testimony in this matter, we believe that the application should be granted.

F I N D I N G S

THE COMMISSION FINDS:

That it has jurisdiction of the instant application.

That it is fully informed in the premises.

That the application sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Valley Telephone Company, Strasburg, Colorado, be, and it hereby is, authorized to transfer to Strasburg Telephone Company the certificate of public convenience and necessity acquired by it by virtue of Application No. 11647, Decision No. 38277, of March 20, 1952.

That Strasburg Telephone Company shall adopt the rates, rules and regulations of the Valley Cooperative Telephone Company in accordance with Rule 22 of the Commission's Rules of Practice and Procedure.

That Strasburg Telephone Company shall maintain its books of accounts in accordance with the Uniform System of Accounts prescribed by this Commission.

That the opening entries on the books of the Strasburg Telephone Company shall be the same as the closing entries of Valley Cooperative Telephone Company.

That Valley Cooperative Telephone Company shall file with this Commission its annual report for the year 1962, in accordance with the rules and regulations of the Commission.

That Strasburg Telephone Company shall at all times comply with the "Rules Regulating the Service of Telephone Utilities" prescribed by this Commission.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Robert C. Hagan
Henry G. Garbino
Commissioners.

Dated at Denver, Colorado,
this 24th day of December, 1962.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RIO GRANDE MOTOR WAY, INC., 775)
WAZEE STREET, DENVER, COLORADO,)
FOR AUTHORITY TO ACQUIRE CONTROL)
OF CARBON MOTORWAY, INC., 230 WEST)
7TH SOUTH, SALT LAKE CITY, UTAH,)
PUC NO. 2525 AND PUC NO. 2525-I,)
AND MERGE THE LATTER INTO THE FORMER)
SO THAT THE SURVIVING CORPORATION)
WILL BE RIO GRANDE MOTOR WAY, INC.,)
PUC NO. 149.)
-----)

APPLICATION NO. 19522-Transfer

December 26, 1962

Appearances: Ernest Porter, Esq., Denver,
Colorado, for Transferor
and Transferee.

S T A T E M E N T

By the Commission:

Application has been filed by Rio Grande Motor Way, Inc., Denver, Colorado, for control of Carbon Motorway, Inc., Salt Lake City, Utah, by the purchase of the capital stock of Carbon Motorway, Inc., and merger of the operating rights of Carbon Motorway, Inc., as reflected in Certificate No. 2525 issued by this Commission. For convenience the two companies will be referred to as "Rio Grande" and "Carbon" throughout this decision.

The application was regularly set for hearing after statutory notice to all interested parties, and was heard at 532 State Services Building, Denver, Colorado, on December 18, 1962, at ten o'clock A. M. At the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that Rio Grande operates as a common carrier by motor vehicle for the transportation of general commodities over regular routes extending generally from Denver to Pueblo, Colorado Springs and Walsenburg, on the east, to the San Luis Valley, Durango and Cortez, in the southwest, and to Delta, Montrose and

Grand Junction, on the west, for the most part paralleling the lines of The Denver and Rio Grande Western Railroad Company.

Carbon operates as a common carrier by motor vehicle for the transportation of general commodities over regular routes in intrastate commerce between Grand Junction, Colorado, on the one hand, and the Utah-Colorado State Line, on the other, serving the communities of Fruita, Loma and Mack, Colorado, as well as Grand Junction, Colorado.

The Interstate Commerce Commission has approved the control by Rio Grande of Carbon, and the merger of the interstate operating rights of Carbon with those of Rio Grande in an order dated October 16, 1962, which became effective November 26, 1962.

The purpose of the present proceeding is to obtain our approval of control an authority to merge so that a single company, intrastate service in lieu of the present two-line motor service provided by these carriers through interchange at Grand Junction, may be accomplished.

F I N D I N G S

THE COMMISSION FINDS:

The control of Carbon and the merger into Rio Grande will permit the unrestricted motor service at and between all points on their combined routes.

This transaction will be in the public interest as the merger will eliminate the duplication of dispatching and afford more efficient handling of the claims and tracing of shipments and will result in other savings in operational expense.

The transaction will not unduly restrain competition, and, upon consummation, Rio Grande will be entitled to operate under the rights granted in Certificate No. 2525, which shall be confirmed by an amendment to Rio Grande's Certificate No. 149.

We also find that it is in the public interest, and that public convenience and necessity require, that reasonably adequate and regular service be maintained between the points formerly served by

Carbon under its Certificate No. 2525 and those presently and in the future served by Rio Grande under its Certificate No. 149.

O R D E R

THE COMMISSION ORDERS:

That the acquisition by Rio Grande Motor Way, Inc., Denver, Colorado, of control of Carbon Motorway, Inc., Salt Lake City, Utah, by the purchase of the capital stock and the merger of the operating rights of the latter into the former, for ownership, management and operation thereof be, and is hereby approved and authorized.

IT IS FURTHER ORDERED that the authority contained in PUC No. 2525 shall be, and it hereby is, merged and consolidated with the authority of Rio Grande Motor Way, Inc., being PUC No. 149, and that henceforth these two operating authorities shall not be construed as conveying more than one operating right..

IT IS FURTHER ORDERED, that unless authority granted herein is exercised within one hundred and eighty (180) days from the effective date hereof, this Order shall be of no further force and effect.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Rueben C. Holman
James G. Williams
Commissioners.

Dated at Denver, Colorado,
this 26th day of December, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
E & K TRUCKING, INC., 7171 WARREN)
DRIVE, DENVER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
- - - - -)

APPLICATION NO. 19483-PP

- - - - -
December 26, 1962
- - - - -

Appearances: Donald Brancio, Denver,
Colorado, for Applicant.

STATEMENT AND FINDINGS OF FACT

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 home 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, transportation of road-surfacing materials restricted against the use of tank vehicles.

The application was set for hearing on December 10, 1962, at ten o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by

the Commission. After the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner, states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services; that the applicant will have sufficient equipment and experience to properly carry on the proposed operation; and, that the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority as provided in the following Order will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That E & K Trucking, Inc., 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 home 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 against the use of tank vehicles.




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 its 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 its compliance with all present and future laws and rules and regulations of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 26th day of December, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EWELL D. FULLER, 6860 MAGNOLIA)
STREET, DERBY, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A) APPLICATION NO. 19484-PP
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

December 26, 1962

Appearances: Ewell D. Fuller, Derby,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

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 home and small construction jobs within a radius of 50 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 50 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 50 miles of said pits and supply points, transportation of road-surfacing materials restricted against the use of tank vehicles.

The application was set for hearing on December 10, 1962, at ten o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, the matter was

taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner, states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services; that the applicant will have sufficient equipment and experience to properly carry on the proposed operation; and, that the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority as provided in the following Order will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Ewell D. Fuller, Derby, 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 home 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 vehicles.

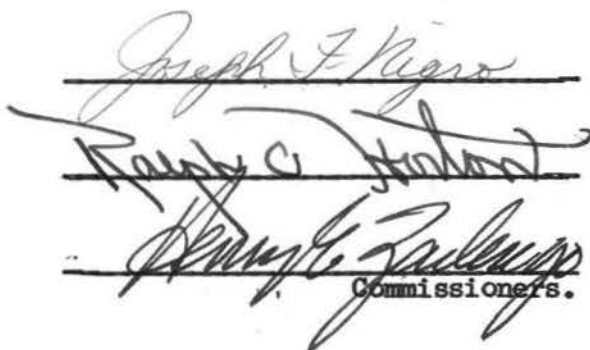
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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


Commissioners.

Dated at Denver, Colorado,
this 26th day of December, 1962.

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original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAYMOND GORDON, 6171 EAST 60TH AVE-)
NUE, DENVER, COLORADO, FOR A CLASS)
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 19485-PP

December 24, 1962

Appearances: Raymond Gordon, Denver,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

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 home 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 restricted against the use of tank vehicles; ensilage, from farms and ranches within a radius of five miles of Henderson, Colorado, to feed lots in Denver and a five-mile radius thereof.

The application was set for hearing on December 10, 1962, at

ten o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services; that the applicant will have sufficient equipment and experience to properly carry on the proposed operation; and, that the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority as provided in the following Order will be in the public interest and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Raymond Gordon, Denver, Colorado, 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 home 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 vehicles; transportation of ensilage from farms and ranches within a radius of five miles of Henderson, Colorado, to feed lots in Denver and a five mile radius thereof.

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. Holton
Henry E. Zuker
Commissioners.

Dated at Denver, Colorado,
this 24th day of December, 1962.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOSEPH J. KRAMER, BOX 203-A, HENDER-)
SON, COLORADO, FOR A CLASS "B" PER-)
MIT TO OPERATE AS A PRIVATE CARRIER)
BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 19486-PP

December 24, 1962

Appearances: Joseph J. Kramer, Henderson,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

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 home 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 restricted against the use of tank vehicles; coal, from mines in the northern Colorado coal fields, to Denver, and to points within a radius of ten miles thereof; natural fertilizer, between points within a fifty mile radius of Denver, Colorado.

The application was set for hearing on December 10, 1962, at ten o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services; that the applicant will have sufficient equipment and experience to properly carry on the proposed operation; and, that the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority as provided in the following Order will be in the public interest and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Joseph J. Kramer, Henderson, Colorado, 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 home 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 vehicles; coal, from mines in the northern Colorado coal fields, to Denver, and to points within a radius of ten miles thereof; natural fertilizer, between points within a fifty mile radius of Denver, Colorado.


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

That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured 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
Rueben C. Holman
George E. Zulewgo
Commissioners.

Witness my hand and seal at Denver, Colorado,
this 24th day of December, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PAUL STEVENS, DOING BUSINESS AS)
"STEVENS HAULING," ROUTE 1, BOX 492,)
LAFAYETTE, COLORADO, FOR AUTHORITY) APPLICATION NO. 19488-PP-Extension
TO EXTEND OPERATIONS UNDER PERMIT)
NO. B-4901.)
-----)

December 26, 1962

Appearances: Paul Stevens, Lafayette,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Paul Stevens, doing business as "Stevens Hauling," Lafayette,
Colorado, is the owner and operator of Permit No. B-4901, authorizing:

Transportation of coal from mines in the
Northern Colorado coal fields, to Louis-
ville, Colorado. Transportation of ashes,
trash, and other waste materials, from
point to point within the Town of Louisville,
Colorado, and to any authorized dump or
place of disposal within a ten-mile radius
of the Town of Louisville, Colorado,

and by the instant application, seeks authority to extend operations
under said Permit No. B-4901 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 home 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 vehicles.

The application was set for hearing on December 10, 1962, at ten o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner, states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services and the applicant will have sufficient equipment and experience to properly carry on the proposed operation, and the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority will be in the public interest and the application should be granted, as provided in the following Order.

O R D E R

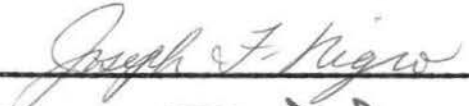
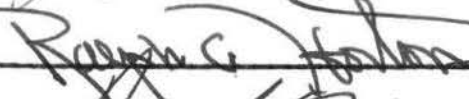

THE COMMISSION ORDERS:

That Paul Stevens, doing business as "Stevens Hauling," Lafayette, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-4901 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 home 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 vehicles, and this Order is the authorization therefor.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 26th day of December, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) ROY SHOCKLEY, 988 SOUTH BIRCH) STREET, DENVER, COLORADO, FOR A) CLASS "B" PERMIT TO OPERATE AS A) PRIVATE CARRIER BY MOTOR VEHICLE) FOR HIRE.) -----)	APPLICATION NO. 19487-PP
---	--------------------------

December 26, 1962

Appearances: Roy Shockley, Denver,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

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 home 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 restricted against the use of tank vehicles.

The application was set for hearing on December 10, 1962, at ten o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, the matter was

taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner, states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services; that the applicant will have sufficient equipment and experience to properly carry on the proposed operation; and, that the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority as provided in the following Order will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Roy Shockley, 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 home 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 vehicles.


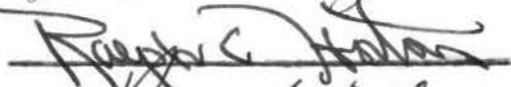

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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




Commissioners.

Dated at Denver, Colorado,
this 26th day of December, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
LYLE E. WILLIAMS, 240 SOUTH KING
STREET, DENVER, COLORADO, FOR A
CLASS "B" PERMIT TO OPERATE AS A
PRIVATE CARRIER BY MOTOR VEHICLE
FOR HIRE.

APPLICATION NO. 19489-PP

December 26, 1962

STATEMENT AND FINDINGS OF FACT

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 home 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, transportation of road-surfacing materials restricted against the use of tank vehicles.

The application was set for hearing on December 10, 1962, at ten o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The same was then and there called up for hearing by an Examiner duly designated and to whom the hearing was assigned by the Commission. The applicant failed to appear in person, or by representative, and no protestant appearing, the files

were made a part of the record and the matter taken under advisement. Thereafter, said Examiner transmitted to the Commission the record and files of said proceeding, together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner, states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services; that the applicant will have sufficient equipment and experience to properly carry on the proposed operation; and, that the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority as provided in the following Order will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Lyle E. Williams, 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 home 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 against the use of tank vehicles.

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 I. Nigro
Robert C. Holton
Henry C. Zuleygo
Commissioners.

Dated at Denver, Colorado,
this 26th day of December, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE UTILIZATION OF EQUIPMENT }
IN THE TRANSPORTATION OF }
PETROLEUM PRODUCTS AND }
LIQUEFIED PETROLEUM GAS }
----- }

CASE NO. 5232

December 21, 1962

S T A T E M E N T

BY THE COMMISSION:

Western Tank Truck Carriers' Conference, Inc., Agent, hereinafter sometimes called Conference, for and on behalf of seven motor vehicle common carriers of petroleum products, etc. filed original pages 14-B and 14-C to its tariff No. C-3, Colorado PUC No. 3 on November 26, 1962, issued to become effective December 26, 1962, providing reduced charges and governing rules and regulations for the transportation of petroleum products and liquefied petroleum gas between points within the State of Colorado. Pacific Intermountain Express Co. filed first revised page 8 to its Motor Freight Tariff No. 2, Colorado PUC No. 2 on December 19, 1962 issued to become effective January 21, 1963 providing reduced charges and governing rules and regulations for the transportation of petroleum products over its lines in Colorado. Colorado Motor Carriers Association, Agent, filed its application No. 215, dated December 13, 1962, on behalf of numerous motor vehicle private and common carriers of petroleum products, etc. requesting permission to establish, effective December 26, 1962, reduced charges and governing rules and regulations, the same as filed by the Conference. We have today granted this request under permission number 14679. Said charges and governing rules and regulations are provided for on original pages 6-D and 6-E to Colorado Motor Carriers Association, Agent, Tariff No. 7, Colorado PUC No. 8.

The Conference, submitted a justification for the proposed reduced charges and governing rules and regulations. Counsel for the Colorado Petroleum Marketers Association, hereinafter sometimes called, Association, filed a petition for investigation and suspension of said charges, etc. Counsel for the Conference and carriers parties to Tariff No. C-3, Colo. PUC No. 3 replied to the petition of the Association. No protest has been received on the proposal filed by Pacific Intermountain Express.

F I N D I N G S

THE COMMISSION FINDS, That:

Upon consideration of the tariff schedules, protest and reply thereto, there is reason to institute an investigation to determine whether they result in charges, rules and regulations that are unjust and unreasonable and otherwise unlawful in violation of the Public Utilities Law.

O R D E R

THE COMMISSION ORDERS, That:

1. An investigation be, and it is hereby, instituted into and concerning the lawfulness of the charges, rules and regulations contained in said schedules with a view to making such findings and order in the premise as the facts and circumstances shall warrant.

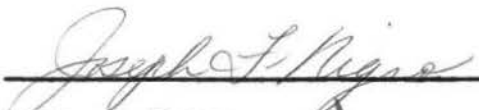
2. The investigation in this proceeding shall not be confined to the matters and issues herein before stated as the reason for instituting this investigation, but shall include all matters and issues with respect to the lawfulness of said charges, rules and regulations under the Public Utilities Law.

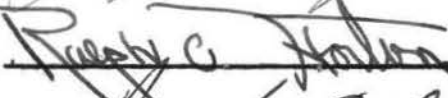
3. Carriers participating in Western Tank Truck Carriers' Conference, Inc., Agent, Tariff No. C-3, Colo. PUC No. 3, Colorado Motor Carriers Association, Agent, Tariff No. 7, Colo. PUC No. 8, and Pacific Intermountain Express Co, be and they are hereby made respondents to the proceeding and that copies of this order be served upon Western Tank Truck Carriers' Conference, Inc. Agent, Alvin J. Meiklejohn, Jr. Esq., Attorney for the Conference and carriers parties to Tariff No. C-3,


Colorado PUC No. 3, Colorado Motor Carriers Association, Agent, and Stockton, Linville, Lewis & Mitchell, Attorneys for protestant, and that this proceeding be assigned for hearing on January 28, 1963, at 10:00 A.M. in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver 3, Colorado.

4. On or before January 21, 1963, respondents shall furnish the Secretary of the Commission with copies of any and all exhibits which respondents intend to introduce in support of their case.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated in Denver, Colorado this
21st day of December, 1962.

JBW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THEO WOOD, DOING BUSINESS AS "THEO)
WOOD CONSTRUCTION," 280 WEST HAVEN)
AVENUE, SALT LAKE CITY, UTAH, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 19490-PP

December 26, 1962

Appearances: Theo Wood, Salt Lake City,
Utah, pro se.

STATEMENT AND FINDINGS OF FACT

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 home 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 restricted against the use of tank vehicles.

The application was set for hearing on December 10, 1962, at ten o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The same was then and there heard

by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services; that the applicant will have sufficient equipment and experience to properly carry on the proposed operation; and, that the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority as provided in the following Order will be in the public interest and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Theo Wood, doing business as "Theo Wood Construction," Salt Lake City, Utah, 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 home 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 vehicles.

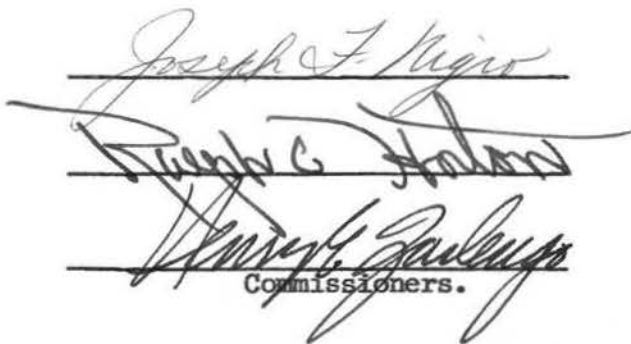
That all operations hereunder shall be strictly contact operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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


Commissioners.

Dated at Denver, Colorado,
this 26th day of December, 1962.

mls

original

(Decision No. 59854)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EDDIE L. STOKER, 59 SOUTH 11TH,)
BRIGHTON, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 19493-PP

December 26, 1962

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks authority to engage in the transportation of baled hay, from point to point within Adams, Arapahoe, Morgan, and Weld Counties, Colorado, and from points in said Counties, to any point in the State of Colorado.

The application was set for hearing on December 10, 1962, at ten o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services; that the applicant will have sufficient equipment and experience to properly carry on the proposed operation; and, that the applicant's financial standing is established to the satisfaction of the Commission.

That the granting of the authority as provided in the following Order will be in the public interest and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Eddie L. Stoker, Brighton, Colorado, be, and hereby is, granted authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of baled hay, from point to point within Adams, Arapahoe, Morgan, and Weld Counties, Colorado, and from points in said Counties, to any point in the State of Colorado, and this Order is a permit therefor.

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. Johnson
Henry E. Zalusky
Commissioners.

Dated at Denver, Colorado,
this 26th day of December, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

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

APPLICATION NO. 19500-PP

December 26, 1962

Appearances: George W. Woodard, Esq.,
Alamosa, Colorado, for
Applicant;
Elizabeth A. Conour, Esq.,
Del Norte, Colorado, for
Fred Gibson and James
Ashton.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks authority to engage in the transportation of livestock from point to point in that portion of Saguache County which lies east of the Continental Divide, and between said territory, Salida, Walsenburg, Pueblo, and Denver, including a five mile zone around said points, and between that portion of Saguache County which lies east of the Continental Divide and points in the San Luis Valley, excluding, however, the right to haul from Alamosa to Saguache County, or render any service in between any towns in Colorado in competition with line-haul common carrier service.

The application was set for hearing on December 13, 1962, at ten o'clock A. M., at the City Hall, Alamosa, Colorado. The same was then and there called up for hearing by an Examiner duly designated and to whom the hearing was assigned by the Commission. Thereafter said Examiner transmitted to the Commission the record and ex-

hibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner states and finds:

That at the commencement of the hearing, applicant moved that the instant application be continued in order that he might file an amended application.

The Commission is of the opinion and finds that the matter should be continued to be re-set at some future date convenient to the Commission, with notice to all interested parties.


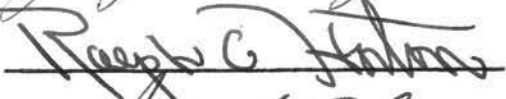

O R D E R

THE COMMISSION ORDERS:

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 26th day of December, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CLINTON WYLEY, JR., DOING BUSINESS)
AS THE "SKYLINE LODGE," PLATERO,)
COLORADO, FOR A CERTIFICATE OF) APPLICATION NO. 19503
PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

December 27, 1962

Appearances: Alfred Garcia, Alamosa, Colo-
rado, pro se, and for San Luis
Valley Touring and Sightseeing
Service.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle in the transportation of passengers and equipment for sightseeing, outdoor and sporting purposes in the mountain terrain surrounding Platero, by jeep or other suitable mountain conveyance.

The application was set for hearing on December 13, 1962, at ten o'clock A. M., in the City Hall, Alamosa, Colorado. The same was then and there called up for hearing by an Examiner duly designated and to whom the hearing was assigned by the Commission. Thereafter, said Examiner transmitted to the Commission the record and files of said proceeding, together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner, states and finds:

That the applicant failed to appear either in person or by representative.

That the protestant herein moved that the application herein be dismissed for failure to prosecute.

The Commission is of the opinion and finds that the instant application should be dismissed for lack of prosecution.

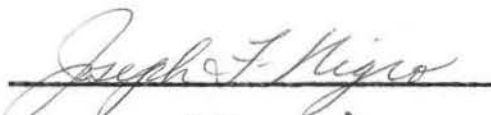


O R D E R

THE COMMISSION ORDERS:

That Application No. 19503 be, and the same hereby is, dismissed for lack of prosecution.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 27th day of December, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF }
DONNIE TRUJILLO, DEL NORTE, COLO- }
RADO, FOR A CLASS "B" PERMIT TO }
OPERATE AS A PRIVATE CARRIER BY }
MOTOR VEHICLE FOR HIRE. }
----- }

APPLICATION NO. 19505-PP

December 27, 1962

Appearances: Elizabeth A. Conour, Esq.,
Del Norte, Colorado,
for Applicant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks authority to engage in the transportation of farm commodities, hay, potatoes, logs, manure, and other unprocessed farm commodities, within a fifty mile radius of Del Norte, Colorado. Applicant requests that in the event authority herein sought is granted, said operating rights bear the number "B-1961," being the number of a permit formerly held by him.

The application was set for hearing on December 13, 1962, at ten o'clock A. M., in the City Hall, Alamosa, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner, states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services; that the applicant will have sufficient equipment and experience to

properly carry on the proposed operation; and, that the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority as provided in the following Order will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Donnie Trujillo, Del Norte, Colorado, be, and hereby is, granted authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of farm commodities, hay, potatoes, logs, manure, and other unprocessed farm commodities, within a 50-mile radius of Del Norte, Colorado, and that said authority shall bear the number "B-1961," and this Order is a permit therefor.

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

Dated at Denver, Colorado,
this 27th day of December, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MINES SUPPLY COMPANY, 1441 MINER)
STREET, IDAHO SPRINGS, COLORADO.)
)
)
-----)

PERMIT NO. M-590

January 3, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Mines Supply Company,
Idaho Springs, Colorado
requesting that Permit No. M-590 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-590, heretofore issued to Mines Supply Company,
Idaho Springs, Colorado be,
and the same is hereby, declared cancelled effective December 20, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Norton
Wm E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 3rd day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LOUIS CHANTALA, ROUTE 4 BOX 745,)
PUEBLO, COLORADO.)
)
)
-----)

PERMIT NO. M-11650

January 3, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Louis Chantala,
Pueblo, Colorado
requesting that Permit No. M-11650 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11650, heretofore issued to Louis Chantala,
Pueblo, Colorado be,
and the same is hereby, declared cancelled effective December 7, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
George C. Holton
Henry E. Zarling
Commissioners

Dated at Denver, Colorado,
this 3rd day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
V-Y TRUCK LINE, INC., P. O. BOX 43,)
CROOK, COLORADO, FOR AUTHORITY TO)
EXTEND OPERATIONS UNDER PERMITS NO.)
B-1492 AND B-1492-I.)

APPLICATION NO. 19382-PP-Extension

December 21, 1962

Appearances: John P. Thompson, Esq., Den-
ver, Colorado, for Applicant;
Melvin Diner, Esq., Greeley,
Colorado, for Livestock Trans-
port, Inc., and Yockey Truck-
ing Company, Inc.;
Francis W. Jamison, Esq., Denver,
Colorado, for Lester E. Smith
and William Blankenbeckler.

S T A T E M E N T

By the Commission:

On November 23, 1962, the Commission entered its Decision No. 59671 in the above-styled application, granting to applicant herein the right to extend operations under Permit No. B-1492 and B-1492-I.

On December 18, 1962, "Petition for Re-Hearing" was filed with the Commission by Jamison and Gummin and Melvin Diner, Esqs., for and on behalf of Livestock Transport, Inc., Yockey Trucking Company, Inc., Lester E. Smith and William Blankenbeckler.

The Commission has reviewed the evidence adduced at the hearing on said application, and has carefully considered Petition for Re-hearing filed herein, and each and every allegation thereof.

F I N D I N G S

THE COMMISSION FINDS:

That Petition for Rehearing filed herein should be granted, as set forth in the Order following.

O R D E R

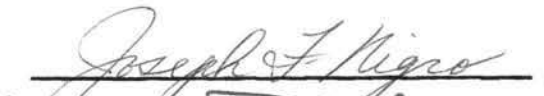
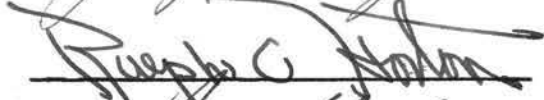

THE COMMISSION ORDERS:

That "Petition for Re-Hearing," filed herein by Jamison and Gummie and Melvin Diner, Esqs., for and on behalf of Livestock Transport, Inc., Yockey Trucking Company, Inc., Lester E. Smith, and William Blankenbeckler, on December 13, 1962, be, and the same hereby is, granted.

That Application No. 19382-PP-Extension shall be later set for re-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




Commissioners.

Dated at Denver, Colorado,
this 21st day of December, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DANIELSON BRYNILDSON, P. O. BOX 193 G,
RIFLE, COLORADO.

PERMIT NO. M-15966

January 3, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Danielson Brynildson,
Rifle, Colorado
requesting that Permit No. M-15966 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15966, heretofore issued to Danielson Brynildson,
Rifle, Colorado be,
and the same is hereby, declared cancelled effective December 17, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Hord
Wm. E. Ziehl
Commissioners

Dated at Denver, Colorado,
this 3rd day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES F. LANE, R. R. 1 BOX 52,)
DELTA, COLORADO.)
-----)

PERMIT NO. M-3619

January 3, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles F. Lane,
Delta, Colorado
requesting that Permit No. M-3619 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3619, heretofore issued to Charles F. Lane,
Delta, Colorado be,
and the same is hereby, declared cancelled effective January 1, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Joseph J. Negro
Ralph C. Wood
Henry C. Zurlungo
Commissioners

Dated at Denver, Colorado,
this 3rd day of January, 19 63.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 59863)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
MELVIN LESTER AND STANLEY LESTER)
DOING BUSINESS AS, "LESTER)
SHINGLE COMPANY", P. O. BOX 465,)
SWEET HOME, OREGON.)

PERMIT NO. B-6005

January 3, 1963

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-6005 be suspended
one year
for ~~six months~~ from December 10, 1962.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Melvin Lester and Stanley Lester, doing business as, "Lester
Shingle Company", Sweet Home, Oregon
be, and is hereby, authorized to suspend their operations under Permit
No. B-6005 until December 10, 1963.

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. Hobart
Wm. E. Zuckerman
Commissioners

Dated at Denver, Colorado,
this 3rd day of January, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JAMES LE ROY HEROD, 1333 SOUTH)
NAVAJO STREET, DENVER 23, COLORADO.)
)
)
-----)

PERMIT NO. M-12771

January 3, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from James Le Roy Herod,
Denver 23, Colorado
requesting that Permit No. M-12771 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12771, heretofore issued to James Le Roy Herod,
Denver 23, Colorado be,
and the same is hereby, declared cancelled effective March 31, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph G. Rodon
Henry E. Zank
Commissioners

Dated at Denver, Colorado,

this 3rd day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

A. L. JALBERT, ROUTE 3 BOX 408-M,
AMARILLO, TEXAS.

PERMIT NO. M-812

January 3, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from A. L. Jalbert,
Amarillo, Texas
requesting that Permit No. M-812 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-812, heretofore issued to A. L. Jalbert,
Amarillo, Texas be,
and the same is hereby, declared cancelled effective December 3, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Norton
Henry E. Zalusky
Commissioners

Dated at Denver, Colorado,

this 3rd day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
HARLAN STEWART AND EVERETT)
STEWART, BARTLEY, NEBRASKA.)

PUC NO. 1798 -I

January 3, 1963

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Harlan Stewart
and Everett Stewart, Bartley, Nebraska

requesting that Certificate of Public Convenience and Necessity No. 1798 - 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. 1798-I heretofore issued to Harlan
Stewart and Everett Stewart, Bartley, Nebraska

be, and the same is hereby, declared cancelled effective December 20, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph J. Negro
Joseph C. Nelson
Commissioners

Dated at Denver, Colorado
this 3rd day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT MC VAY 3462 SOUTH GRANT,)
ENGLEWOOD, COLORADO.)
-----)

PERMIT NO. B-5872

January 8, 1963
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-5872 be further suspended for six months from December 22, 1962.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Robert Mc Vay, Englewood, Colorado

be, and is hereby, authorized to further suspend his operations under Permit No. B-5872 until June 22, 1963.

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. [illegible]
Wm. E. Ziegler
Commissioners

Dated at Denver, Colorado
this 8th day of January, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MAY GREVER AND CLYDE GREVER,
DOING BUSINESS AS, "GREVER
TRUCKING COMPANY", 5315 WEST 8TH
STREET, TULSA, OKLAHOMA.)

PUC NO. 4606-I

January 3, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from May Grever and
Clyde Grever, doing business as, "Grever Trucking Company", Tulsa, Oklahoma

requesting that Certificate of Public Convenience and Necessity No. 4606-I
be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Certificate No. 4606-I heretofore issued to May Grever
and Clyde Grever, doing business as, "Grever Trucking Company", Tulsa, Oklahoma

be, and the same is hereby, declared cancelled effective December 26, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph E. Wood
Harry L. Ziegler
Commissioners

Dated at Denver, Colorado
this 3rd day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
THE DIETER BOOKBINDING COMPANY)
(CORPORATION), 1130-23RD STREET,)
DENVER 5, COLORADO.)
-----)

PERMIT NO. M-13502

January 3, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from The Dieter Bookbinding Company (Corporation), 1130-23rd Street, Denver 5, Colorado

requesting that Permit No. M-13502 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13502, heretofore issued to The Dieter Bookbinding Company (Corporation), 1130-23rd Street, Denver 5, Colorado be,

and the same is hereby, declared cancelled effective December 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Norton
Wm. E. Zaulings
Commissioners

Dated at Denver, Colorado,

this 3rd day of January, 19 63.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
CARMEN DE DISSE, BOX 212, EVERGREEN,)	
COLORADO, FOR AUTHORITY TO TRANSFER)	
PUC NO. 2754 TO ROY WITT, DOING)	APPLICATION NO. 19465-Transfer
BUSINESS AS "ROY'S RUBBISH REMOVAL,")	
BOX 473, EVERGREEN, COLORADO.)	

December 28, 1962

Appearances : Benjamin E. Sweet, Esq.,
Denver, Colorado, for
Transferor and Trans-
feree.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Carmen deDisse, Evergreen, Colorado, is the owner and operator
of PUC No. 2754, authorizing:

call and demand service for the transportation
of trash and water, from point to point within
a radius of 10 miles of Evergreen, Colorado,

and by the instant application seeks authority to transfer said PUC No.
2754 to Roy Witt, doing business as "Roy's Rubbish Removal," Evergreen,
Colorado.

The application was set for hearing on December 5, 1962, at
9:30 o'clock A. M., in the Hearing Room of the Commission, 532 State
Services Building, Denver, Colorado. The same was then and there heard
by an Examiner duly designated and to whom the hearing was assigned by
the Commission. After the conclusion of the hearing, the matter was
taken under advisement, and said Examiner transmitted to the Commission
the record and exhibits of said proceeding together with a written state-
ment of his findings of fact and conclusion.

The Commission having considered the record and files and the

written statement of the Examiner states and finds:

That no one protests the granting of the application.

That the transferee is a fit and proper person, has sufficient equipment and is financially able to render and continue operations under said certificate.

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 Carmen deDisse, Evergreen, Colorado, be, and hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 2754 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Roy Witt, doing business as "Roy's Rubbish Removal," Evergreen, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Johnson
Donald J. Anderson
Commissioners.

Dated at Denver, Colorado,
this 28th day of December, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RIO GRANDE MOTOR WAY, INC., FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY WHICH WILL AUTHORIZE)
THE TRANSPORTATION OF RAILROAD)
FREIGHT IN LINE-HAUL SERVICE AS A)
SUBSTITUTE FOR SAID RAIL SERVICE)
BETWEEN DENVER, COLORADO, AND)
PUEBLO, COLORADO, SERVING INTER-)
MEDIATE POINTS.)
-----)

APPLICATION NO. 19208-Extension
SUPPLEMENTAL ORDER

December 28, 1962

Appearances: Ernest Porter, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc.;
Edward T. Lyons, Jr., Esq.,
Denver, Colorado, for Red
Ball Motor Freight, Inc.;
William J. Donlon, Esq., Denver,
Colorado, for General Chairman's
Association, D&RGW, for Brother-
hood of Maintenance of Way Em-
ployees, Brotherhood of Locomotive
Engineers, Brotherhood of Railroad
Trainmen, Dining Car Waiters and
Attendants, Sheet Metal Workers'
International Alliance, Brotherhood
of Railway and Steamship Clerks,
Order of Railroad Telegraphers,
Order of Railway Conductors and
Trainmen, American Train Dispatchers
Association, Railroad Yardmasters of
America, International Brotherhood of
Blacksmiths, Dropforgers and Helpers,
Brotherhood of Locomotive Firemen and
Enginemen, Brotherhood of Railroad
Signalmen of America, Switchmen's
Union of North America, International
Brotherhood of Electrical Workers,
Brotherhood of Railway Carmen of
America, International Association
of Machinists, International Brother-
hood of Firemen, Oilers, Helpers,
Roundhouse and Shop Employees;
Hubert Work, Denver, Colorado, for Weicker
Transfer and Storage Company;
Bennie Goldstein, Denver, Colorado, for
Goldstein Transportation and Storage, Inc.;
James A. Duffy, Denver, Colorado, for the
Duffy Storage and Moving Company.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By Decision No. 59713, dated November 30, 1962, the Commission granted to Rio Grande Motor Way, Inc. a certificate of public convenience and necessity authorizing transportation of commodities, generally, as set forth in said decision.

On December 20, 1962, "Application for Rehearing" was filed in said matter by Red Ball Motor Freight, Inc., by Jones, Meiklejohn, Kilroy & Kehl, Esqs., by Edward T. Lyons, Jr., Esq., Denver, Colorado.

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



O R D E R

THE COMMISSION ORDERS:

That Application for Rehearing in the above-styled matter filed by Red Ball Motor Freight, Inc., by Jones, Meiklejohn, Kilroy & Kehl, Esqs., by Edward T. Lyons, Jr., Esq., Denver, Colorado, 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



Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 28th day of December, 1962.
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BOB L. HUNT, 2625 WEST CORNELL)
AVENUE, DENVER, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A) APPLICATION NO. 19370
COMMON CARRIER BY MOTOR VEHICLE) SUPPLEMENTAL ORDER
FOR HIRE.)
-----)

December 28, 1962

Appearances: Charles E. Bennett, Esq.,
Denver, Colorado, for
Applicant;
Robert L. McDougal, Esq.,
Denver, Colorado, for
Rehfeld House Movers,
Doyle's House Moving, and
W. A. Hutchins, Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By Decision No. 59772, dated December 4, 1962, the Commission granted to Bob L. Hunt, Denver, Colorado, a certificate of public convenience and necessity authorizing transportation of buildings in the City and County of Denver, and within a 35-mile radius of said City and County of Denver, Colorado.

On December 21, 1962, "Petition for Rehearing" was filed in said matter by Doyle House Moving & Wrecking Co. Inc.; Arch Rehfeld, doing business as "Rehfeld House Movers;" W. A. Hutchins, by Floyd Barr; by Robert L. McDougal, their Attorney.

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

O R D E R

THE COMMISSION ORDERS:

That Petition for Rehearing in the above-styled matter,

filed by Doyle House Moving & Wrecking Co. Inc.; Arch Rehfeld, doing business as "Rehfeld House Movers;" and W. A. Hutchins, by Floyd Barr; by Robert L. McDougal, their Attorney, 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



Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 28th day of December, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RIO GRANDE MOTOR WAY, INC., 775)
WAZEE STREET, DENVER, COLORADO, FOR)
AUTHORITY TO ACQUIRE CONTROL OF CAR-)
BON MOTORWAY, INC., 230 WEST 7TH)
SOUTH, SALT LAKE CITY, UTAH, PUC NO.)
2525 AND PUC NO. 2525-I, AND MERGE)
THE LATTER INTO THE FORMER, SO THAT)
THE SURVIVING CORPORATION WILL BE)
RIO GRANDE MOTOR WAY, INC., PUC NO.)
149.)

APPLICATION NO. 19522-Transfer
SUPPLEMENTAL ORDER

December 28, 1962

Appearances: Ernest Porter, Esq., Denver,
Colorado, for Applicants.

S T A T E M E N T

By the Commission:

On December 26, 1962, the Commission entered its Decision No. 59844, granting authority sought in the above-styled application, as therein set forth, said Order being effective twenty-one (21) days from the date thereof.

Applicants have now requested that said Decision No. 59844 be made effective as of midnight, December 31, 1962.

F I N D I N G S

THE COMMISSION ORDERS:

That said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 59844, of date December 26, 1962, be amended, nunc pro tunc, as of said 26th day of December, 1962, by striking there-

from the last line of the Order therein contained, appearing on Page 4 thereof, and reading:

"This Order shall become effective twenty-one days from date.", and inserting in lieu thereof the following:

"This Order shall become effective at midnight, December 31, 1962."

That, except as herein amended, Decision No. 59844 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Horton
Sam E. Sullivan
Commissioners.

Dated at Denver, Colorado,
this 28th day of December, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
KELLER H. LIGHT, DOING BUSINESS AS)
"KIOWA VALLEY TRUCK LINE," 5600)
BRIGHTON BOULEVARD, DENVER, COLO-)
RADO, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY, AUTHOR-)
IZING EXTENSION OF OPERATIONS UNDER)
PUC NO. 3741.)
-----)

APPLICATION NO. 19338-Extension
AMENDED

December 31, 1962

Appearances: Robert D. Means, Esq., Denver,
Colorado, for Applicant;
Raymond B. Danks, Esq., Denver,
Colorado, for Colorado Transfer
& Warehousemen's Association;
Duffy Storage & Moving Co. Inc.,
Colorado Cartage Co. Inc.;
George Harsh, Esq., Denver, Colo-
rado, for Thomas D. Lane
Truck Lines;
John P. Thompson, Esq., Denver,
Colorado, for Intrastate Line
Haul Common Carriers Division
of the Motor Truck Common Car-
riers Association, Westway
Motor Freight, Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

The applicant is the owner of PUC No. 3741 which authorizes
operation as a common carrier by motor vehicle for hire, as follows:

The conduct of a general transfer and cartage
business, between points within the City and
County of Denver, State of Colorado,

and by the instant application, applicant seeks to extend and enlarge
such certificate to authorize the conduct of a general transfer and
cartage business between points within the City and County of Denver,
State of Colorado, and fifteen miles beyond such limits.

Said application, pursuant to prior setting, after appro-
priate notice to all interested parties, was heard at the Hearing Room
of the Commission, 532 State Services Building, Denver, Colorado, and

at the conclusion of the evidence, the matter was taken under advisement.

The Commission takes official notice of PUC No. 3741 and PUC No. 894.

Applicant moved to amend his application by restricting the proposed area of extension to exclude an area west of Youngfield Street as extended in Jefferson County, Colorado. No objection was made, and the motion was granted, and should be, and hereby is, confirmed.

Applicant testified in support of the application in effect that he has been operating under the certificate to be extended for some time; that incidental to the growth of Denver and the surrounding area, many of his customers have expanded or have moved into the area surrounding Denver; that these customers are satisfied with his services and constantly call upon him for services into the proposed area of extension.

Norman Martin, of Tubular Service Corporation, testified he is Traffic Manager for said corporation, and it is his duty to keep himself informed as to the transportation needs of the company and the means of meeting such needs. He testified that the company needs service into the proposed area of extension, and including Denver, on an average of five to fifteen times daily; that 50% of the time there is emergency for delivery; that he has tried other common carriers who were mentioned but that their services were not satisfactory; that some of these common carriers did not care for his company's business because the merchandise to be handled was dirty, oily, etc., or was of a length which made it unwieldy for handling, and, that the services of the applicant were, and when used have proven to be, very satisfactory.

George White testified that he is the Traffic Manager for American Brass Company; that his company does business in the pertinent area and that shipments into the pertinent area sometimes average two or three times daily, and at times have been as many as twelve per day; that he has used Larson, and also the applicant where feasible; that in his judgment, the services of the applicant in the area of extension are needed and would be used by his company.

James E. Brown testified that he is Manager of D. N. & E. Walters Company, a carpet company; that his company sells imported furniture, carpets and draperies to dealers; that the applicant's services where and when used have been very satisfactory, and that, in his judgment, the type of services being rendered by the applicant are needed in the area of extension. He further testified that he used other carriers but the services were not satisfactory as the same were slow and in very many instances time is important.

John Douglas testified that he is the Traffic Manager for Wells Rutherford, a manufacturer's representative, dealing in plumbing, fittings, roof flashing and materials, gaskets, solder, and electrical supplies; that he has used the services of the applicant and the same were very satisfactory; that he has tried Mile Hi Express, North Denver Transfer, Duffy, and others, but that the services of these carriers were not as satisfactory as those of applicant, and in many instances were inferior.

Some seventeen other witnesses testified in support of the application supplying substantial, competent and pertinent cumulative evidence, said witnesses being traffic managers or owners, of substantial businesses, involving brass products, plumbing products, furniture, pipe fittings, surplus merchandise, parts, etc. The sum and substance of the testimony of these witnesses was that the services of applicant where and when rendered for them has been very satisfactory; that due to the economic growth and expansion of Denver and the area surrounding Denver, they have many demands for deliveries to be made in the area surrounding Denver; that many times these deliveries must be made on an emergency basis, otherwise their customers would be dissatisfied and might be lost to them; that due to the nature of the operations of their customers, emergency transportation service many times must be rendered and in many instances their customers cannot reasonably foresee their needs which must be made on an emergency basis; that they have tried other common carriers and have found their services to be unsatisfactory in that unreasonable delays were experienced, and in some

instances the charges, when compared, were exorbitant; that in their judgment there is a need, and it would be in the public interest, to extend the authority of the applicant as requested.

The protestants proffered evidence to the effect that they have equipment which at times is idle; that they could handle the business if they were called upon to do so; that there is no public convenience and necessity present requiring the extension of the applicant's authority. This evidence of the protestants was vague and indefinite, and too general, when compared with the evidence tendered by the applicant in support of his application as to the presence of public convenience and necessity.

The Commission finds that the adequacy of available common carrier service in the proposed area of extension to meet satisfactorily the requirements of the public convenience and necessity, has not been established; that the present and future public convenience and necessity require and will require the transportation services for which the applicant herein seeks authority, and that it would be in the public interest to grant the application of the applicant as is set out in the Order hereinafter made.

The Commission further finds that the applicant will have sufficient equipment and experience to properly carry on the proposed operation, and his financial standing is established to the satisfaction of the Commission.

O R D E R

THE COMMISSION ORDERS:

The Commission hereby extends PUC No. 3741 to include the area within fifteen miles of the present boundaries of the City and County of Denver, State of Colorado, excluding therefrom any area located west of Youngfield Street, as extended, in Jefferson County, Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Hahn
Wm. B. Zerk
Commissioners.

Dated at Denver, Colorado,
this 31st day of December, 1962.

ea

original

(Decision No. 59875)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
LITTLE PERCENT TAXI, INC., ASPEN,)	
COLORADO, FOR AUTHORITY TO TRANSFER)	
PUC NO. 1681 TO HAROLD L. LESH, DO-)	APPLICATION NO. 19510-Transfer
ING BUSINESS AS "GLENWOOD-ASPEN)	
STAGES," P. O. BOX 215, GLENWOOD)	
SPRINGS, COLORADO.)	
-----)	

IN THE MATTER OF THE APPLICATION OF)	
LITTLE PERCENT TAXI, INC., ASPEN)	
COLORADO, FOR AUTHORITY TO TRANSFER)	APPLICATION NO. 19510-Transfer
PUC NO. 1681 TO HAROLD L. LESH AND)	<u>AMENDED</u>
JOHN HARVEY LESH, CO-PARTNERS, DOING)	
BUSINESS AS "LITTLE PERCENT TAXI,")	
P. O. BOX 215, GLENWOOD SPRINGS,)	
COLORADO.)	
-----)	

December 31, 1962

Appearances: David Butler, Esq., Denver,
Colorado, for Transferor
and Transferee;
O. E. Johnson, Grand Junc-
tion, Colorado, and
Alfred M. Crager, Dallas,
Texas, for Continental
Bus System, Inc., as its
interest may appear and
for copy of Order.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Little Percent Taxi, Inc., Aspen, Colorado, is the owner and
operator of PUC No. 1681, authorizing:

transportation of passengers and their baggage, in
taxicab service: Between points and places in
Garfield, Eagle, and Pitkin Counties, and between
points and places in those counties on the one hand,
and, on the other, points and places in the State of
Colorado;

transportation of passengers in sightseeing service:
Between points and places in Garfield, Rio Blanco,
Eagle, Mesa, Delta, Gunnison, Pitkin, and Lake
Counties, Colorado;

all service is to be restricted to vehicles having a capacity of not to exceed seven passengers, and further restricted against having an office for solicitation of business in any county except Garfield, Eagle, and Pitkin Counties, Colorado;

for the transportation of passengers within the corporate limits of the City of Glenwood Springs, certificate-holder shall charge 30¢ for one person and 10¢ for each additional person per one-way trip; service from Glenwood Springs to Red Mountain Inn, 50¢ per person per trip, one way; service from or to Glenwood Springs, to and from all outside points within the twenty-five-mile radius, exclusive of Red Mountain Inn, 30¢ per mile one way, with fare and a half for round-trip for the first passenger, and 10¢ per mile for each additional passenger up to the capacity of automobile, either one way or round trip, with a charge of \$2.00 per hour waiting time;

for service between points served by line-haul motor vehicle common carriers on schedule, certificate-holder shall charge rates which shall be computed on a basis of not less than 20¢ per mile, one way, for one passenger, and 5¢ per mile per passenger for each additional passenger; that round-trip fares shall be computed on a basis of one and one-half times the one-way fare, with a charge of \$2.00 per hour waiting time,

and by the instant application seeks authority to transfer said PUC No. 1681 to Harold L. Lesh, doing business as "Glenwood-Aspen Stages," Glenwood Springs, Colorado.

The application was set for hearing on December 18, 1962, at two o'clock P. M., at the Court House, Glenwood Springs, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner states and finds:

That at the commencement of the hearing it was moved that the application as filed herein be amended by showing the transferee to be Harold L. Lesh and John Harvey Lesh, co-partners, doing business as "Little Percent Taxi;" that all parties appearing at the hearing agreed

to said amendment and it was allowed.

That the transferees are fit and proper persons, have sufficient equipment and are financially able to render and continue operations under said certificate; that the consideration for the transfer is \$20,000.00.

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 Little Percent Taxi, Inc., Aspen, Colorado, be, and hereby is, authorized to transfer all of its right, title, and interest in and to PUC No. 1681 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Harold L. Lesh and John Harvey Lesh, co-partners, doing business as "Little Percent Taxi," Glenwood Springs, Colorado, subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

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

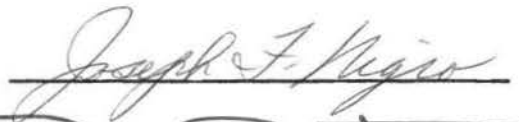
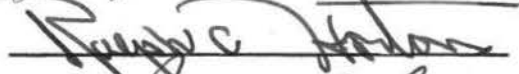

The tariff of rates, rules, and regulations of transferor shall, upon proper adoption notice, become and remain those of trans-

feree 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.

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 31st day of December, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE CINDERS, CLAY OR SHALE)
(AGGREGATE), IN BULK,)

INVESTIGATION AND SUSPENSION
DOCKET NO. 506

December 28, 1962

STATEMENT AND FINDINGS

BY THE COMMISSION:

On November 30, 1962, J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, 4060 Elati Street, Denver, Colorado, filed with the Commission on statutory notice Original Page No. 48-B scheduled to become effective December 31, 1962. The item appearing thereon is as follows:

Colorado Motor Carriers' Association, Agent
Motor Freight Tariff No. 14
Colorado P.U.C. No. 13

Rates are in dollars and cents per ton of 2,000 pounds

Item No.	Commodity	From	To	Rates
536 (R)	Cinders, Clay or shale (Aggregate), in bulk, Minimum weight 40,000 pounds (Applies only via Raymond Pherson and Patricia M. Pherson, d/b/a Pherson Trucking	Idealite Company Plant Site near Rocky Flats, Colorado Clalite Aggregate Company near Denver, Colorado	Denver Federal Center, Colo.	\$1.15
			Walt Flannigan Readymix Plant on West Oxford Southwest of Denver, Colo.	\$1.40
			Duralite Company Colo. Springs, Colorado	\$3.15
			Loveland, Colo.	\$2.30

/ denotes - addition
(R) denotes - reduction

By this tariff publication, the carrier proposes to perform transportation services from and to points not apparently authorized and Necessity in its Certificate of Convenience/ No. 2510. The carrier has been contacted by the staff of the Commission to support its position relative to the authority to perform this service. The carrier has not supplied the staff with such authority.

The reduced rates and apparent services published outside the confines of Certificate of Convenience and Necessity No. 2510 may, if permitted to become effective, result in reductions and performance of services beyond the scope of P.U.C. No. 2510. It is the opinion of the Commission that the operation of the said schedules should be suspended and an investigation instituted upon the Commission's own motion concerning the lawfulness of the rates and charges and scope of operations contained therein.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings, be and they are hereby made a part hereof.
2. It shall, upon its own motion enter upon a hearing concerning the lawfulness of the rates and charges and the apparent services out of authority resulting from the publication of Item No. 536, Original Page No. 48-B, Colorado Motor Carriers' Association, Agent, Motor Freight Tariff No. 14, Colorado P.U.C. No. 13, scheduled to become effective December 31, 1962.
3. The operation of said schedule be and is hereby suspended and the use thereof be deferred to and including April 30, 1963, unless otherwise ordered by the Commission.
4. Neither the schedules hereby suspended nor those sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension of any extension thereof has expired, unless otherwise ordered by the Commission.
5. Seven days prior to the hearing date, respondent shall provide the Secretary of the Commission with copies of any and all exhibits which respondent intends to introduce in evidence in support of its case.
6. A copy of this order be filed with the schedule in the office of the Commission and also be served upon Raymond L. Pherson, d/b/a Pherson Trucking Co. 1528 Mapleton Ave., Boulder, Colorado and J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers'

Association, Agent, 4060 Elati Street, Denver 16, Colorado.

7. This Investigation and Suspension Docket No. 506, be assigned for hearing at a future date to be determined by the Commission, due notice of such date and place of hearing being given all interested parties.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
George C. Hahn
Dennis E. Zalko
Commissioners

Dated at Denver, Colorado this
80th day of December, 1962.

(Decision No. 59877)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASED RATES AND CHARGES }
GENERAL COMMODITIES - BETWEEN }
POINTS WITHIN THE CITY OF }
COLORADO SPRINGS, COLORADO }

INVESTIGATION AND SUSPENSION
DOCKET NO. 482

- - - - -
December 28, 1962
- - - - -

Appearances: R. B. Danks, Esq., Hughes and Dorsey,
401 First National Bank, Denver,
Colorado
A. J. Tait and S. J. Philipponne for
the Staff of the Commission

S T A T E M E N T

BY THE COMMISSION:

By schedules (1) filed to become effective on March 5, 1962, Dalby Transfer and Storage, Inc., hereinafter called respondent, proposed increases in the hourly rates and charges for the transportation of general commodities, including new and used household goods, between points located within the corporate limits of Colorado Springs, Colorado. The present regular time hourly charge for a van and two men is \$9.00 per hour compared with the proposed hourly charge of \$11.00. The extra labor charge per man hour is \$3.50 as against the proposed charge per man hour of \$5.00. The present overtime hourly charge is \$12.50 contrasted with the proposed hourly charge of \$18.50. Hourly charge being observed by respondent for a van and one man of \$7.00 would be eliminated by the proposed hourly charge for a van and two men. The operation of the schedules was suspended originally until July 3, 1962 by decision No. 58120, dated February 23, 1962 and further suspended until January 3, 1963 by decision No. 58858 dated June 29, 1962. The matter was heard, following due notice to all concerned, on March 23, 1962 and taken under advisement.

- (1) Colorado Transfer and Warehousemen's Association, Agent, Colorado Movers Tariff No. 2, Colorado P.U.C. No. 1; Dalby Transfer & Storage, Inc. Local Cartage Tariff No. 2, Colorado P.U.C. No. 2.

Respondent maintains a warehouse and terminal at 3111 North Stone, Colorado Springs, Colorado and performs transportation services under Colorado P.U.C. Certificate No. 343, as well as other services related to transportation. Respondent's exhibit number 4 shows the following revenues, received during the year 1961, for other services:

Storage and warehouse handling	\$64,725
Packing and crating	53,540
Commissions received from Aero Mayflower Transit Company for Booking Interstate moves of household goods	31,857
Revenues from operation of public scales	1,659
Revenue received from appliance servicing and other miscellaneous income	<u>1,768</u>
Total	\$153,549

Revenues from transportation services as follows:

(1) Freight revenue - Intercity - Common carrier	72,522
(1) Freight revenue - Local Cartage	94,322
(1) Annual Report - Fiscal Year (11-1-60 to 10-31-1961)	166,844

The increased wage costs due to the new Union contract, which was signed March 15, 1962 and retroactive to January 19, 1962, based on the operations for the year 1961 would be as follows:

	<u>Wage Increase</u>	<u>Wages Unincreased</u>
Transportation:		
Wages, Drivers and Helpers	\$6,048	\$103,737.
Terminal:		
Wages, Platform Employees	991	16,994
All other expenses:		
Employee Benefits (Union Employees)	718	4,302
Payroll Taxes - All Employees	<u>66</u>	<u>5,899</u>
Totals	\$7,823	\$130,932
Percent Wage Increase		5.975

Respondent's manager presented no evidence pertaining to the expenses incurred in the handling of the traffic to which the proposed rates and charges here being considered, would be applicable. Here, as in the case of the expenses, respondent has not given us the amount of

the increased revenue that may be expected as a result of the proposed rates and charges.

The operating ratio for the respondent for the fiscal year ending October 31, 1961 was 98.1 per cent. If the cartage revenue for 1961 of \$94,322 is increased by 22% (the amount of the percentage increase represented by increasing the hourly charge from \$9.00 to \$11.00) or \$20,750 for a total of \$115,072 and expenses estimated at 98.1 per cent of the 1961 revenue of \$94,322 or \$92,530 plus increased wages, based on an increase of 5.975 per cent of \$74,015 ((a) \$94,322, Local Cartage revenue + \$166,844, Total Intercity and Local Cartage revenue = 56.53%; (b) 56.53% of \$130,932, wages unincreased = \$74,015, wages, based on division of revenues), or \$4,422.00, total expenses \$96,952, the operating ratio on the local cartage traffic would be 84.25 per cent, ($\$96,952 \div \$115,072$). If such were the operating ratio on this traffic, it would exceed the ratio of 93 per cent, which we have considered proper in other cases, substantially. It should be noted that under the foregoing hypotheses, the proposed increased revenue is \$20,750 versus increased wage costs of \$4,422, or in the relationship of over four to one.

We are unable, on the record before us, to determine the justness and reasonableness or otherwise lawfulness of the hourly rates and charges under suspension. The burden of proof is upon the respondent to establish by competent and substantial evidence that the proposed hourly rates and charges are just and reasonable and otherwise lawful. This burden has not been sustained and the proposed rates and charges may not be approved.

F I N D I N G S

THE COMMISSION FINDS, That:

1. The suspended schedules have not been justified.
2. An order should be entered requiring the cancellation of said schedules and discontinuing this proceeding.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings herein be, and they are hereby made a part hereof.

2. The respondent is hereby notified and required to cancel said schedules (The Colorado Transfer and Warehousemen's Association, Agent, Colorado Mover's Tariff No. 2, Colorado PUC No. 1) insofar as applicable to the traffic of said respondent, on or before January 2, 1963, upon notice to this Commission and 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, and that this proceeding be discontinued.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Migro
Joseph G. Holton
Henry E. Melinger
Commissioners

Dated at Denver, Colorado this
28th day of December, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE CHANGES IN RATES APPLICABLE)
TO TRANSPORTATION OF LIVESTOCK)

CASE NO. 1585

December 31, 1962

S T A T E M E N T

BY THE COMMISSION:

On November 30, 1962, the Colorado Motor Carriers' Association, Agent, by J. R. Smith, Chief of Tariff Bureau, filed with the Commission certain schedules, as set forth below, to its Motor Freight Tariff No. 14, Colorado P.U.C. No. 13, schedules to become effective December 31, 1962.

Under the provisions of Rule 18, Paragraph C(1)-(A) of the 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.

SECTION NO. 4-A
Livestock

Livestock Rule No.	Rules and Regulations Governing the Rates on Movements of Livestock Viz: Cattle, Calves, Hogs or Pigs, Goats, Sheep or Lambs, Horses, Mules or Asses.
--------------------	---

PLAINS RATES TO APPLY ON LOCAL MOVEMENTS:

17
(R) The plains scales of rates will apply on local movements of livestock transported by Orville Dunlap and Harold Ross Dunlap d/b/a Orville Dunlap & Son between points located within a radius of 5 miles of the following cities or towns:

Austin	Hotchkiss
Delta	Montrose
Grand Junction	Olathe

Item No. COMMODITY RATES

1398 (R)	The following charges will apply on shipments of livestock transported by Orville Dunlap and Harold Ross Dunlap, d/b/a Orville Dunlap & Son between the Montrose Sale Barn, Montrose, Colorado and railroad loading chutes at Montrose, Colorado:
-------------	---

Cattle - \$5.00 per rail carload;
Sheep - \$7.50 per rail carload.

17 denotes addition
(R) denotes reduction.

In support of these changes Orville Dunlap in a letter to the Commission states:

"Lots of these shipments are for only 2 and 3 miles and in order to keep any of this traffic we will have to use plains scale rate. All of this territory is in flat country, and the plains rate makes a fair return.

"The salesyard is only 1 mile from the stockyards, and to charge regular rate makes it impossible for people to have them hauled to railroad but by having a set price per car they can figure their cost before the shipment moves and it does give us a reasonable rate for our trucks."

The Association has mailed notice of the independent action of Orville Dunlap & Son to its members with no objections being received.

F I N D I N G S

THE COMMISSION FINDS:

That the provisions, rates and charges as set forth in the statement hereof appear to represent just, fair and reasonable provisions, rates and charges and should be authorized and an order entered prescribing same.

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. This order shall become effective forthwith.
3. The rates, rules and regulations and provisions as set forth in the statement hereof shall on December 31, 1962, be the prescribed rates, rules and 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. 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.

7. 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.

8. 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
Ruehl C. Hartman
Henry J. Salangs
Commissioners

Dated at Denver, Colorado this
31st of December, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CURTIS P. HENDRICKS)
901 Lea)
Clovis, New Mexico)
-----)

AUTHORITY NO. B 5005-I
CASE NO. 10322 Ins.

January 4, 1963

S T A T E M E N T

By the Commission:

On November 15, 1962, in the above Case, the Commission entered its Order revoking the above Authority for failure to maintain effective insurance on file with the Commission. Proper insurance filing has now been made with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said Authority should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That said Authority be, and the same hereby is, reinstated, as of the date of revocation, and the said revocation Order be, and the same hereby is, vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. [unclear]
Wm. E. Zurlungo
Commissioners

Dated at Denver, Colorado,
this 4th day of January, 1963

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MOBILE EQUIPMENT CORPORATION, 1950)
31ST STREET, DENVER 5, COLORADO.)
_____)

PERMIT NO. M-13900

January 8, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Mobile Equipment
Corporation, Denver 5, Colorado
requesting that Permit No. M-13900 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13900, heretofore issued to Mobile Equipment
Corporation, Denver 5, Colorado be,
and the same is hereby, declared cancelled effective December 20, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Johnson
Henry L. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 8th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SUPERIOR SALES AND SERVICE COMPANY)
(CORPORATION), 1950-31ST STREET,)
DENVER 5, COLORADO.)
-----)

PERMIT NO. M-13890

January 8, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Superior Sales and Service Company (Corporation), Denver 5, Colorado
requesting that Permit No. M-13890 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13890, heretofore issued to Superior Sales and Service Company (Corporation), Denver 5, Colorado be,
and the same is hereby, declared cancelled effective December 20, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Edwin C. Holton
Wm. E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 8th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
UTILITY TRUCK EQUIPMENT CORPORATION,)
1950-31ST STREET, DENVER 5, COLORADO.)
_____))
_____)

PERMIT NO. M-13902

January 8, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Utility Truck Equip-
ment Corporation, Denver 5, Colorado
requesting that Permit No. M-13902 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13902, heretofore issued to Utility Truck Equipment
Corporation, Denver 5, Colorado be,
and the same is hereby, declared cancelled effective December 20, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph L. M...
...
...
Commissioners

Dated at Denver, Colorado,

this 8th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GENE HUGHES, DOING BUSINESS AS,)
"H AND H '66' SERVICE", 1024 WEST)
3RD, PRATT, KANSAS.)
-----)

PERMIT NO. M-7000

January 8, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Gene Hughes, doing
business as, "H & H '66' Service", Pratt, Kansas
requesting that Permit No. M-7000 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7000, heretofore issued to Gene Hughes, doing
business as, "H & H '66' Service", Pratt, Kansas be,
and the same is hereby, declared cancelled effective December 27, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Raymond G. [illegible]
Henry G. [illegible]
Commissioners

Dated at Denver, Colorado,

this 8th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

JERRY L. BLANC, P. O. BOX 91,
GLENWOOD SPRINGS, COLORADO.

PERMIT NO. M-15243

January 8, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Jerry L. Blanc,
Glenwood Springs, Colorado
requesting that Permit No. M-15243 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15243, heretofore issued to Jerry L. Blanc,
Glenwood Springs, Colorado be,
and the same is hereby, declared cancelled effective December 17, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Garth C. Portant
King E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 8th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES C. BEALL, P. O. BOX 274,
EVERGREEN, COLORADO.
-----)

PERMIT NO. M-1698

January 8, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles C. Beall,
Evergreen, Colorado
requesting that Permit No. M-1698 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1698, heretofore issued to Charles C. Beall,
Evergreen, Colorado be,
and the same is hereby, declared cancelled effective November 28, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 8th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
KEITH L. RISING AND ST. GEORGE GORDON,
DOING BUSINESS AS, "COLORADO MUD AND
SUPPLY COMPANY", P. O. BOX 811,
LAMAR, COLORADO.

PERMIT NO. M-9122

January 8, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Keith L. Rising and
St. George Gordon, dba "Colorado Mud and Supply Company", Lamar, Colorado
requesting that Permit No. M-9122 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9122, heretofore issued to Keith L. Rising and St.
George Gordon, dba "Colorado Mud and Supply Company", Lamar, Colorado be,
and the same is hereby, declared cancelled effective December 22, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 8th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CLEMENTE MONTANO, ROUTE 4 BOX)
262, PUEBLO, COLORADO.)
-----)

PUC NO. 3813

January 8, 1963

S T A T E M E N T

By the Commission:

On November 23, 1962, the Commission authorized Clemente Montano to suspend operations under his PUC No. 3813, until May 23, 1963.

The Commission is now in receipt of a communication from the above-named certificate-holder requesting that his PUC 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 PUC No. 3813, should be, and the same hereby is, reinstated as of December 27, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Robert C. Norton
Henry E. Zaulinger
Commissioners

Dated at Denver, Colorado,
this 8th day of January, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
E. M. HARRELL, 2865 PONTIAC, DENVER 7,)
COLORADO.)
)
)
-----)

PERMIT NO. M-5483

January 8, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from E. M. Harrell,
Denver 7, Colorado
requesting that Permit No. M-5483 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5483, heretofore issued to E. M. Harrell,
Denver 7, Colorado be,
and the same is hereby, declared cancelled effective December 27, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph T. Negro
Joseph C. Norton
Commissioners

Dated at Denver, Colorado,
this 8th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
GLEN E. BREWER, DOING BUSINESS)
AS, "BREWER TRUCK LINES", 9765)
LORNA LANE, ST. LOUIS 36,)
MISSOURI.)

PUC NO. 5483-I

January 8, 1963

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Glen E. Brewer,
doing business as, "Brewer Truck Lines", St. Louis 36, Missouri

requesting that Certificate of Public Convenience and Necessity No. 5483-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. 5483-I heretofore issued to Glen E. Brewer,
doing business as, "Brewer Truck Lines", St. Louis 36, Missouri

be, and the same is hereby, declared cancelled effective December 24, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Robert C. [illegible]
Wm. E. [illegible]
Commissioners

Dated at Denver, Colorado
this 8th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
EASTERN COLORADO UTILITY COMPANY,
EADS, COLORADO, FOR AN ORDER AU-
THORIZING IT TO ISSUE SECURITY
AND CREATE LIENS ON ITS PROPERTY.

APPLICATION NO. 19119-SECURITIES
AMENDED

January 4, 1963

Appearances: John J. Lefferdink, Esq.,
Eads, Colorado,
Leonard M. Campbell, Esq.,
Denver, Colorado, for
Eastern Colorado Utility
Company;
John A. Phillips, Esq., and
Ralph D. Jacobs, Colorado
Springs, Colorado, for
Plateau Natural Gas Company;
Bryant O'Donnell, Esq.,
Denver, Colorado, for
Public Service Company of
Colorado, as its interest
may appear;
Lewis Poe, Esq., Colorado
Springs, Colorado, and
Robert McHugh, Esq., Colorado
Springs, Colorado, for
Natural Gas Producers, Inc.,
as its interest may appear;
E. R. Thompson, Denver, Colo-
rado,
J. M. McNulty, Denver, Colo-
rado, and
Paul M. Brown, Denver, Colo-
rado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

On November 15, 1962, Eastern Colorado Utility Company
filed with the Commission the above-entitled application, in which
it prayed that the Commission issue its Order amending its previous
Order so as to authorize Applicant to issue security instruments in

the amount of \$200,000, with a provision that actual indebtedness is not to be incurred in excess of \$150,000, and funds in excess of \$150,000 are not to be loaned thereunder, without prior approval of the Commission.

By Commission Decision and Order No. 59658, the instant matter was set for hearing, after due notice to all interested parties, on December 3, 1962, at two thirty o'clock P. M., 532 State Services Building, Denver, Colorado, at which time and place the hearing was held, and at the conclusion thereof the matter was taken under advisement. No protests were filed prior to the hearing of this Amended Application; however, Mr. Ralph D. Jacobs appeared in the interest of Plateau Natural Gas Company.

In the Commission's previous Decision and Order No. 59230, Application No. 19119, dated September 7, 1962, Applicant, among other things, was authorized to issue a note or notes to the Small Business Administration essentially in accordance with the loan agreement, Exhibit X, entered into evidence, in the principal amount totaling \$150,000.

In compliance with another section of the Commission's Decision and Order No. 59230, Applicant, on October 29, 1962, filed with the Commission certain executed documents pertaining to the borrowing, as follows:

Resolution of Board of Directors to borrow
\$200,000, dated September 22, 1962.

Promissory Note in the amount of \$200,000,
dated September 24, 1962.

Chattel Mortgage to secure Note in principal
amount of \$200,000, dated October 12, 1962.

At the hearing on December 3, 1962, Applicant, by its Attorney, stated:

"That the Commission had entered its Order authorizing Applicant to sign and execute instruments of indebtedness in principal amounts totaling \$150,000, and our problem involved here is that we actually signed instruments of indebtedness in the amount of \$200,000. In so doing, we wish to point out there was no intention on our part to disregard the Order of the Commission. The only

problem that we believe is involved is one of the mechanics of these instruments of indebtedness. We had originally applied for a \$200,000 loan on the advice of our financial adviser, Mr. Pyles of the First National Bank in Eads. On his suggestion, that in the event you should need more than \$150,000 which is what we anticipated in the way of costs for materials, that it would be rather difficult and perhaps a delayed process in obtaining additional funds and it was with this understanding that if we did not need the \$200,000 that the loan could be cancelled for anything less than we might need under the \$200,000."

Applicant's witness, Mr. W. Russell Eddy, Attorney for the Small Business Administration, in response to questions on cross examination, stated that the Small Business Administration would be willing to write a letter and agree not to disburse more than \$150,000 without further authorization from the Commission.

He stated that upon request by Applicant, the scheduled repayment amounts would be scaled down to fit a \$150,000 loan. Such request was made to the First National Bank in Eads, Colorado, as evidenced by a copy of a letter dated December 5, 1962, and filed with the Commission December 6, 1962. Also, at that time, Applicant asked for deferment of repayments for a year because the proposed natural gas distribution systems would not be operated during the 1962-63 heating season.

On December 10 and 11, 1962, Applicant filed with the Commission letters from the Small Business Administration and from the First National Bank in Eads, Colorado, stating that funds would not be disbursed in excess of \$150,000, and that there would be no objection to adjusting the scheduled debt repayments required to that of a \$150,000 loan.

In view of the fact that the Applicant has in effect amended the promissory note and other instruments so as to limit the loan to \$150,000, and that no funds in excess of \$150,000 will be loaned without further authority from this Commission, it appears, therefore, there is no reason why the Commission should authorize Eastern Colorado Utility Company to issue instruments in the principal amount of \$200,000 relative to the borrowing of funds from the First National Bank in Eads, Colorado, and from the Small Business Administration.

F I N D I N G S

THE COMMISSION FINDS:

That Eastern Colorado Utility Company is a Colorado corporation, and is a public utility as defined in Chapter 115-1-3, Colorado Revised Statutes, 1953.

That the Commission is fully advised in the premises.

That the Commission has jurisdiction of the Applicant and the subject matter of the application herein.

That the above and foregoing Statement be incorporated as part of these Findings.

That Applicant's request to this Commission to amend its Decision and Order No. 59230, dated September 7, 1962, to authorize Applicant to issue security instruments in the amount of \$200,000, should be denied.

O R D E R

THE COMMISSION ORDERS:

That Application No. 19119-Securities-Amended, the subject matter herein, for authority to issue security instruments in the amount of \$200,000, be, and the same is hereby, denied.

That the Commission retains jurisdiction of these proceedings to the end that it may make further Order or Orders in the premises as it may deem to be proper and desirable.

That the Commission's Decision and Order No. 59230, dated September 7, 1962, shall remain in full force and effect.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Rueben C. Hobbs
Donald E. Zuluaga
Commissioners.

Dated at Denver, Colorado,
this 4th day of January, 1963.

ea

original

(Decision No. 59891)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE BOARD OF COUNTY COMMISSIONERS)
OF DOUGLAS COUNTY AND THE ATCHISON,)
TOPEKA AND SANTA FE RAILWAY COMPANY,)
FOR AUTHORITY TO CLOSE A GRADE)
CROSSING AT THE RAILWAY COMPANY'S)
MILE POST 694 PLUS 1164.4 FEET,)
NEAR LARKSPUR, DOUGLAS COUNTY,)
COLORADO.)
-----)

APPLICATION NO. 19521

January 4, 1963

Appearances: Douglas McHendrie, Esq.,
Denver, Colorado, for
Applicant, The Atchison,
Topeka and Santa Fe
Railway Company;
J. L. McNeill, Denver,
Colorado, for the Staff
of the Commission.

S T A T E M E N T

By the Commission:

The above-entitled application, by appropriate notice to the parties in interest, to the Colorado Department of Highways and to adjacent property owners, was set for hearing to be held on the date of December 28, 1962, in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The matter was then and there heard by the Commission, and taken under advisement.

The purpose of the instant application is to secure Commission approval for the closing of a grade crossing as made by a Douglas County road over trackage of Santa Fe Railway, approximately 3/4 mile south of Larkspur, Colorado.

With reference to the Commission's files herein, to the instant application, and to the testimony as received at the hearing, the following is noted:

That for many years the instant Douglas County road has handled local farm and ranch traffic, crossing over the Santa Fe southbound main track at Mile Post 694 plus 1164.4 feet; that the road is located in a mountainous region where natural obstructions, road and track curvature, snow removal difficulties and steep road approaches have all offered certain hazards at the grade crossing; that numerous unsuccessful efforts have been made to secure improved safety for local traffic, which also included four daily movements by a school bus during the school term; that after diligent investigation in the area by the County Commissioners, and engineering personnel from Santa Fe and the Staff of this Commission, it was determined that the County Road might be re-routed and reconstructed to pass beneath the Santa Fe Bridge No. 694.1; that said railway bridge is located some 280 feet south from the grade crossing, being 319 feet long, and the main line track is thereby carried across Plum Creek and old State Highway No. 1 (formerly U. S. 85-87); that at this time, construction work has been completed and all roadway traffic is now moving on the new road beneath Bridge No. 694.1, with the result that approval is being sought for abandonment of the former grade crossing at Mile Post 694 plus 1164.4 feet.

At the hearing, the following exhibits were received and additional explanatory testimony was offered by Roderick W. Young, Office Engineer from the Santa Fe Division Engineer offices at La Junta, Colorado:

Exhibit A: Sketch map to show various location features of Santa Fe trackage, right-of-way lines, Bridge No. 694.1, old road crossing to be removed (yellow), newly built road (red), Plum Creek stream channel and former U. S. Highway 85-87.

Exhibit B: Correspondence of Colorado Department of Highways to show concurrence in the instant application.

According to Mr. Young, the instant application includes copy of contract, dated May 22, 1962, between The Atchison, Topeka and Santa Fe Railway Company and The Board of County Commissioners of

Douglas County, covering use of railroad property for a new road beneath Bridge 694.1. He also explained that the new 30-foot wide county road is located within a bridge span of 80 feet, and offers a vertical clearance of 24.5 feet to the under side of the bridge girders. It was his belief that closing of the grade crossing would eliminate a hazardous situation, with no hardship involved for users of the road.

With reference to the instant contract, all construction and maintenance work pertaining to the relocated road is the function of Douglas County, said County having also agreed to join in this application to close the old grade crossing.

The cost of the new road work as now completed has been reported at \$3,700.00, which work also provided a concrete cattle pass for the convenience of an adjacent property owner. No other testimony was presented at the hearing, and no protests have been submitted in the matter.

F I N D I N G S

THE COMMISSION FINDS:

That it is informed in the instant matter, and the foregoing Statement, by reference, is made a part hereof.

That public safety, convenience and necessity require the abandonment and closure of existing grade crossing of the Douglas County Road at Santa Fe Mile Post 694 plus 1164.4 feet, and the substitution therefor of a new road and grade separation at Santa Fe Bridge No. 694.1, all as proposed herein.

O R D E R

THE COMMISSION ORDERS:

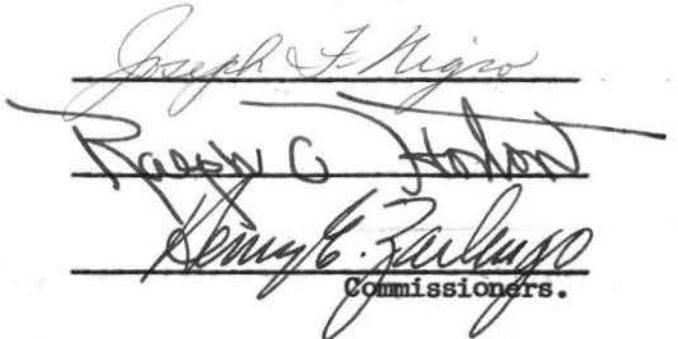
That Applicants, the Board of Douglas County Commissioners and The Atchison, Topeka and Santa Fe Railway Company, be, and hereby are, granted a certificate of public convenience and necessity to authorize and approve the following:

- (1) Abandonment and removal of the grade crossing on Douglas County Road at Mile Post 694 plus 1164.4 feet of The Atchison, Topeka and Santa Fe Railway Company.
- (2) Establishment, construction, operation and maintenance of a grade separation at Santa Fe Bridge No. 694.1, being the relocation of the above Douglas County road beneath said railway bridge; all as located south of Larkspur, in the Southeast Quarter (SE $\frac{1}{4}$), Section 33, Township 9-South, Range 67, Douglas County, Colorado.

That the work to be done, method of payment, and maintenance, shall all be in accordance with the foregoing Statement and the Agreement Contract of May 22, 1962, all of which, by reference, are made a part hereof.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

Dated at Denver, Colorado,
this 4th day of January, 1963.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ARNOLD TRUCK LINES, INCORPORATED,)
P. O. BOX 1180, KIOWA, COLORADO.)

PERMIT NO. B-4476 & I

January 17, 1963

S T A T E M E N T

By the Commission:

On November 1, 1962, the Commission authorized Arnold Truck Lines, Inc., to suspend operations under their Permit No. B-4476 & I, until May 1, 1963.

The Commission is now in receipt of a communication from the above-named Permittee requesting that their Permit be reinstated.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-4476 & I, should be, and the same hereby is, reinstated as of January 3, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaslavsky
Harold S. Bjelland
Commissioners
Ralph C. Norton

Dated at Denver, Colorado,
this 17th day of January, 1963.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WAYNE V. LEBACK, GLENN N. LEBACK AND }
FRED F. LEBACK, DOING BUSINESS AS, }
"FRED F. LEBACK AND SONS", 2116 }
LINCOLN, LOVELAND, COLORADO. }

PERMIT NO. M-2466

January 17, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Wayne V. Leback, Glenn N. Leback and Fred F. Leback, dba "Fred F. Leback & Sons", Loveland, Colorado requesting that Permit No. M-2466 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2466, heretofore issued to Wayne V. Leback, Glenn N. Leback and Fred F. Leback, dba "Fred F. Leback & Sons", Loveland, Colorado be, and the same is hereby, declared cancelled effective December 20, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zschueger
Harold L. Byland
Ralph C. [unclear]
Commissioners

Dated at Denver, Colorado,

this 17th day of January, 19 63.

* * *

RE MOTOR VEHICLE OPERATIONS OF)
WAYNE V. LEBSACK, GLENN N.)
LEBSACK AND FRED F. LEBSACK,)
DOING BUSINESS AS, "FRED F.)
LEBSACK AND SONS", 2116 LINCOLN)
AVENUE, LOVELAND, COLORADO.)

PERMIT NO. B-4906

January 17, 1963

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-4906 be suspended
for six months from December 20, 1962.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Wayne V. Lebsack, Glenn N. Lebsack & Fred F. Lebsack,
doing business as, "Fred F. Lebsack & Sons", Loveland, Colorado
be, and are hereby, authorized to suspend their operations under Permit
No. B-4906 until June 20, 1963.

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

Henry E. Zuckerman
Howard S. [Signature]
Robert C. [Signature]
Commissioners

Dated at Denver, Colorado,
this 17th day of January, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF
JAMES D. CLAY AND ANDY
VOLOSHIN, RIVERVIEW TRAILER
PARK, CRAIG, COLORADO.

PUC NO. 5069

January 17, 1963

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that their PUC No. 5069 be further suspended for six months from January 1, 1963.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That James D. Clay and Andy Voloshin, Craig, Colorado

_____ be, and are hereby, authorized to further suspend
operations under PUC No. 5069 until July 1, 1963.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zeckler
Harold S. Gifford
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 17th day of January, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM E. HOWARD AND WILLIAM S.)
HOWARD, DOING BUSINESS AS, "HOWARD'S)
INSULATION COMPANY", 525 EDEN COURT,)
LAS VEGAS, NEVADA.)

PERMIT NO. M-12508

January 17, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from William E. Howard & William S. Howard, dba "Howard's Insulation Company", Las Vegas, Nevada requesting that Permit No. M-12508 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12508, heretofore issued to William E. Howard & William S. Howard, dba "Howard's Insulation Company", Las Vegas, Nevada be, and the same is hereby, declared cancelled effective December 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zuckerman
Howard S. Bickel
Ralph C. Johnson
Commissioners

Dated at Denver, Colorado,

this 17th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

THOMAS L. PEARCH, P. O. BOX 106,
EAGLE, COLORADO.

PERMIT NO. M-9004

January 17, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Thomas L. Pearch,
Eagle, Colorado

requesting that Permit No. M-9004 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9004, heretofore issued to Thomas L. Pearch,
Eagle, Colorado be,
and the same is hereby, declared cancelled effective December 7, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Harold S. Bjelland
Ralph C. Norbert
Commissioners

Dated at Denver, Colorado,

this 17th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOHN D. CALLISON, DOING BUSINESS AS,)
"CALLISON WRECKING", TENDERFOOT MOTEL,)
SALIDA, COLORADO.)
-----)

PERMIT NO. M-5782

January 17, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from John D. Callison, doing
business as, "Callison Wrecking", Salida, Colorado
requesting that Permit No. M-5782 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5782, heretofore issued to John D. Callison, doing
business as, "Callison Wrecking", Salida, Colorado be,
and the same is hereby, declared cancelled effective December 3, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zschueger
David S. Bjelland

Ralph C. Commissioners

Dated at Denver, Colorado,

this 17th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
INDUSTRIAL STATIONERS, INCORPORATED,)
1622 WAZEE STREET, DENVER 2, COLO-)
RADO.)
-----)

PERMIT NO. M-6548

January 17, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Industrial Stationers,
Inc., Denver 2, Colorado

requesting that Permit No. M-6548 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6548, heretofore issued to Industrial Stationers, Inc.
Denver 2, Colorado be,
and the same is hereby, declared cancelled effective November 30, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Henry E. Zschuege
Harold D. Billard
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 17th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRY AND COMPANY, INCORPORATED, 10TH)
AND WATER STREETS, CANON CITY, COLO-)
RADO.)
-----)

PERMIT NO. M-1450

January 17, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Fry & Company, Inc.,
Canon City, Colorado

requesting that Permit No. M-1450 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1450, heretofore issued to Fry & Company, Inc.,
Canon City, Colorado be,
and the same is hereby, declared cancelled effective January 1, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zschueger
Edward S. Gifford
Ralph Commissioners

Dated at Denver, Colorado,

this 17th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
DONALD J. SCHIMPF, DOING BUSINESS)
AS, "EMPIRE DISPOSAL COMPANY",)
7098 LIPAN STREET, DENVER 21,)
COLORADO.)

PUC NO. 3214

January 17, 1963
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that his PUC No. 3214 be suspended for six months from January 1, 1963.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Donald J. Schimpf, doing business as, "Empire Disposal Company", Denver 21, Colorado be, and is hereby, authorized to suspend operations under PUC No. 3214 until July 1, 1963.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Nancy E. Zeelings
Howard S. Bjelland
Ralph G. Hinton

Dated at Denver, Colorado,
this 17th day of January, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE BRACES OR SUPPORTS, POLE,)
GALVANIZED, PAINTED OR PLAIN)

CASE NO. 1585

January 8, 1963

S T A T E M E N T

BY THE COMMISSION:

On December 12, 1962, J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, 4060 Elati Street, Denver, Colorado, filed with the Commission 3rd Revised Page 31 and 2nd Revised Page 39, amending items 640 and 740, as set forth below, to its Motor Freight Tariff No. 13, Colorado P.U.C. No. 12, to become effective January 12, 1963.

Under the provisions of Rule 18, Paragraph C(1)-(A) of the 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.

SECTION NO. 1
Commodity Descriptions

Distance rates published in Section No. 2 of this tariff will apply on the following articles:

ITEM NO.	COMMODITY
640	Structural iron or steel, including plate girders, stringers and fabricated trusses. Steel concrete construction forms. / (R) Braces or supports, pole, galvanized, painted or plain.

SECTION NO. 3
Specific Commodity Rates

Rates are in cents per 100 pounds

ITEM NO	COMMODITY	FROM	TO	RATES
	Commodities in the same item may be shipped in straight or mixed truck loads.			

SECTION No. 3 (Continued)

ITEM NO.	COMMODITY	FROM	TO	RATES
740	Iron or Steel Articles, viz:		Denver, Colo., and points and places within 5 miles of the Denver City	(1) 38 (2) 33
	/ (R) Braces or Supports			
	Poles, galvanized, painted or plain; Plate Girders; Stringers; Fabricated	Minnequa, Colo.	Limits.	
	Trusses; Steel Concrete	Pueblo, Colo.	Glenn L. Martin	(1) 38
	Construction Forms;		Plant near	(2) 33
	Angles; Balls, Bars or		Waterton, Colo.	
	Shapes, crushing or		Greeley, Colo.	(2) 38
	grinding; Pipe; Rails;		Colo. Spgs. Colo.	(1) 22
	Bars; NOI; Strap, iron or steel; Beams; Channels;		Ft. Carson, Colo.	(2) 20
	Plate or Sheet; Wire;		U. S. Air Force Academy, Colo.	
	Wire Rope or Strand; and Parts or Pieces constitut- ing a complete article.	Minnequa, Colo	Pueblo, Colo.	(2) 11
	(1) Minimum Weight 30,000 pounds.			
	(2) Minimum Weight 40,000 pounds.			

/ denotes - addition
(R) denotes - reduction

In support of these changes Ralph H. Knull, Traffic Manager, Rio Grande Motor Way, Inc., in a letter dated November 1, 1962 to the tariff publishing agent, stated:

"We have been requested by Colorado Fuel & Iron Corporation to add this commodity and they have stated that this commodity is used as a brace or support for poles. It is made from steel pipe split lengthwise, ranging in length from ten to thirteen feet. Each brace or support would be 7 to 9 and 5/8 inches wide and weight between 100 and 200 lbs. each. CF&I states that this commodity has similar handling characteristics as the plates, beams and channels now included in Tariff 13."

F I N D I N G S

THE COMMISSION FINDS:

That the provisions, rates, and charges as set forth in the statement hereof appear to represent just, fair and reasonable provisions, rates and charges and should be authorized and an order entered prescribing same.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings herein be, and they are hereby made a part hereof.

2. This order shall become effective forthwith.
3. The rates, rules and regulations and provisions as set forth in the statement hereof shall on January 12, 1963, be the prescribed rates, rules and 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. 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.
7. 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.
8. 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. Negro
Ralph C. Horton
Henry E. Zuluaga
Commissioners.

Dated at Denver, Colorado this
8th day of January, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
NUCLA-NATURITA TELEPHONE COMPANY,)
NUCLA, COLORADO, FOR AN EXTENSION)
OF ITS EXISTING CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY, TO)
PERMIT THE FURNISHING OF TELEPHONE)
SERVICE IN CERTAIN AREAS LOCATED)
WITHIN THE COUNTIES OF SAN MIGUEL,)
MONTROSE, AND MESA, COLORADO.)

APPLICATION NO. 18902-Amended

January 8, 1963

Appearances: T. L. Brooks, Esq., Montrose,
Colorado, for Applicant;
C. J. McCallister, Denver,
Colorado, for Mountain
States Tel. & Tel. Com-
pany, as its interest may
appear;
J. M. McNulty, Denver, Colo-
rado, for the Staff of the
Commission.

S T A T E M E N T

By the Commission:

On January 8, 1962, Nucla-Naturita Telephone Company filed an application with this Commission seeking to extend its area for telephone service into territory adjacent to its presently certificated area.

The Commission set the matter for hearing, after due notice to all parties, in the Court House at Montrose, Colorado, at 9:30 o'clock A. M., on August 15, 1962. At said time and place, the matter was heard by the Commission and at the conclusion of the hearing taken under advisement.

At the hearing, attorney for Applicant requested permission to amend the application by substituting a new description of the territory sought to be certificated herein.

There being no objection, the Commission permitted the amendment.

Mr. Norman Tomlinson, General Manager of Nucla-Naturita Telephone Company, testified that the Company was desirous of extending into new territory north of the area which it presently serves into the Gateway area in Mesa County. It is proposed to give complete area coverage in this portion of Mesa County sought to be certificated and to date, 110 prospective customers have been contacted, of which, 85 have requested service. The Company has submitted to the Rural Electrification Administration in Washington a feasibility study, together with a request for a loan of \$150,000 with which to not only build into the Gateway area, but to provide additional service in other portions of the area sought to be certificated herein. The Company expected a reply on its feasibility studies within approximately ninety days. A copy of said feasibility study has been filed herein as a late-filed exhibit, together with a Balance Sheet and Operating Statement as of June 30, 1962.

Within the area sought to be certificated herein, there is presently a switcher line with approximately twelve customers thereon. At this time, Mountain States Telephone & Telegraph Company switches this group. No definite decision has been reached by and between Applicant, Mountain States, and the switcher group as to future service. The choice will be left to the group as to whether or not they will continue to receive a Mountain States connection or whether Applicant will provide service. In the event the group decides to continue with Mountain States, the granting of a certificate herein to Applicant will not nullify this arrangement if it should continue in the future.

Applicant presently holds a certificate of public convenience and necessity from this Commission by virtue of Application No. 15960, Decision No. 49550, of January 29, 1958, and the amendment to the application granted herein provides that the description incorporates the area presently certificated to Applicant and the additional area within which it seeks to serve. Its

Articles of Incorporation are presently on file with the Commission and if a certificate sought herein is granted, it will continue to apply the same rates, rules and regulations for telephone service as are presently in effect and on file with the Commission, until changed according to law and the rules and regulations of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That Nucla-Naturita Telephone Company, Applicant herein is a public utility subject to the jurisdiction of this Commission.

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

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Nucla-Naturita Telephone Company be, and it hereby is, granted a certificate of public convenience and necessity to operate as a telephone utility within the following described area:

Beginning at a point where the Easterly Utah state line intersects with the North line of Section 19, T. 14 S., R. 104 W. of the 6th P. M.; thence East to the Northeast corner of Section 19, T. 14 S., R. 99 W. of the 6th P. M.; thence South to the center of Section 12, T. 51 N., R. 15 W., N. M. P. M.; thence East to the East Quarter corner of said Section 12; thence South to the West Quarter corner of Section 7, T. 50 N., R. 14 W. of the N. M. P. M.; thence East to the East Quarter corner of Section 12, T. 50 N., R. 13 W. of the N. M. P. M.; thence South to the Southwest corner Section 31, T. 49 N., R. 12 W. of the N. M. P. M.; thence East to the Southeast corner of said Section 31; thence South to the Southeast corner of Section 13, T. 46 N., R. 13 W. of the N. M. P. M.; thence West to the Southwest corner of Section 18, T. 46 N., R. 14 W. of the N. M. P. M.; thence South to the Southeast corner of Section 36, T. 44 N., R. 15 N. of the N. M. P. M.; thence East to the Northeast corner of Section 4, T. 43 N., R. 14 W. of the N. M. P. M.; thence South to the Southeast corner of Section 16, T. 42 N., R. 14 W. of the N. M. P. M.; thence West to the center of the Dolores River; thence along the center line of said Dolores River in a Northerly direction to the center of Section 17, T. 45 N., R. 18 W. of the N. M. P. M.; thence West along the San Miguel Montrose County line to the Colorado-Utah state line; thence North along said Colorado-Utah state line to the point of beginning.

That Applicant shall amend its rates, rules and regulations now on file with this Commission at least ten (10) days prior to the inauguration of telephone service in the new territory granted herein, to include said territory in its tariff.

That Applicant shall continue to keep its books and accounts in agreement with Uniform System of Accounts as prescribed by this Commission.

That Applicant shall at all times abide by the "Rules Regulating the Service of Telephone Utilities" as promulgated by this 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 8th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

CLAY - PRIVATE CARRIER)
CONTRACT TRUCKLOAD RATES)

CASE NO. 5225

January 8, 1963

Appearances: T. A. Stockton, Jr., Esq. and John H. Lewis,
Esq., 1650 Grant Street, Denver, Colorado
for Hanson & Weil Construction Co.
James M. Davison for Robinson Brick & Tile Co.,
500 S. Santa Fe Drive, Denver 23, Colorado
Everett Weil for Hanson & Weil Construction Co.,
739 South Ogden, Denver, Colorado
A. J. Tait for the Staff of the Commission

S T A T E M E N T

BY THE COMMISSION:

By schedules 1/ filed August 27, 1962, Hanson & Weil Construction Co. (a corporation), hereinafter sometimes called respondent, proposed the establishment of distance commodity rates, charges, rules and regulations for the transportation of clay transported between points in the State of Colorado. The proposed rates, charges, etc. were permitted to become effective on September 14, 1962 but an investigation into their lawfulness was instituted upon our own motion. Hearing thereon was set for September 28, 1962 by our Decision No. 59297 of September 17, 1962 with all persons believed to be interested being duly notified.

Respondent's president testified that his company was a Colorado corporation engaged in the mining and transportation of clay, under contract, with the Robinson Brick and Tile Co., Denver, Colorado; that operations are conducted under permit B-4390, (Decision No. 59058, dated August 9, 1962), of this Commission, that the transportation of clay began in 1948 and the handling thereof was the same as that of sand or gravel from stock piles; that clay was transported in trucks of 12 yards
1/ Hanson & Weil Construction Co. Tariff No. 1, Colo. P.U.C. No. 1

capacity with the weight of the clay being approximately 2,200 lbs. per cubic yard; that clay is a low value commodity with a truckload having a value not in excess of \$100.

The tariff filed by respondent provides rates for the transportation of clay from pits in the State of Colorado to Robinson Brick and Tile Co., Denver, Colorado of $5\frac{1}{2}$ cents per ton mile within plains territory, $8\frac{1}{2}$ cents per ton mile within mountain territory and the applicable rate in each territory for the distance traversed in each respective territory in inter-territorial movements, subject in all cases to no minimum weight. Prior to the filing of the instant tariff respondent had assessed a rate of seven (7) cents per yard mile for the transportation of clay. An operating statement filed as respondent's Exhibit No. 1, for the five month period, April 1, 1962 thru August 31, 1962, shows the following:

Gross	\$118,105.41	
Off Highway	<u>10,300.00</u>	
		\$107,805.41
Expenses		<u>99,623.76</u>
Net		\$ 8,181.65

The resulting operating ratio, not shown on the exhibit, is 92.4 per cent. Revenue received was derived from a rate of seven (7) cents per yard mile or 84 cents per loaded truck mile. The tariff rate of $5\frac{1}{2}$ cents per ton mile based on a truckload weight of 13.2 tons produces 72.6 cents per loaded truck mile. The rate of $5\frac{1}{2}$ cents per ton mile results in a reduction of 13.57 per cent under that previously assessed. If the five month operating statement is representative of the respondent's operation, the reduced rate is not compensatory as the operating ratio would approximate 107 per cent (\$107,805 - \$14,629 (13.57% of \$107,805) \$99,623 + \$93,176 - 106.9%).

In its justification of the proposed rates respondent stated in a letter to the Commission dated August 27, 1962, that:

"The rates named on page 39 to 42 of Colorado Motor Carriers' Association, Agent, Motor Freight Tariff No. 14, Colorado P.U.C. No. 13, are completely inappropriate for this operation. All of these rates are

far in excess of what a manufacturer of structural clay products, Brick and Hollow Building Tile, can afford to pay and be competitive with other building materials. They would result in charges that would be several times the compensation we have been receiving under our contract. Our compensation has yielded a very satisfactory return on our investment and for the work.

Mr. Davison, Traffic Manager of The Robinson Brick and Tile Co., reported that he was advised by officials of four of the largest common carriers that none of those carriers ever handled a shipment of crude clay, in bulk. This is submitted to persuasive evidence that these rates have not been, are not now, and probably never will be applied to an actual shipment of crude clay, in bulk. We, therefore, urge that those "paper rates" (insofar as they apply to clay) do not provide a fair measure for the rates to be applied to a day in and day out movement of this commodity.

Another point that Mr. Davison's survey indicates is the absence of direct common carrier by motor vehicle. The Common Carriers that operate within a 100 mile radius of Denver own no dump trucks. They have never solicited this traffic. In fact, one of the officials said, 'If we are offered a shipment of bulk clay, we as common carriers would have to handle it, but we are not planning in going after that kind of freight'.

It is of common knowledge that the transportation characteristics of crude clay are substantially similar to those of sand, dirt and gravel. The loading, hauling and delivery of all of these commodities are essentially identical operations. Consequently, we submit that the same level of rates that is just, reasonable and otherwise lawful, for anyone of these commodities would be in consonance with the lawful standards for all, and each, of them."

Three witnesses from the Robinson Brick and Tile Company, herein-after sometimes called Robco, appeared and testified in support of the proposed ton mile rates for the transportation of clay.

The treasurer and controller of Robco testified that clay was transported from four mines in Jefferson County, from five mines in Douglas County and from one mine each in Elbert and El Paso Counties to the Denver Plant of Robco. The nearest mine is the Chieftain mine, located 9 miles west of Denver with the most distant mine being the Apache mine in El Paso County, four miles west of Calhan and 75 miles from Denver.

Exhibit No. 3 testified to by Robco's treasurer-controller shows the following:

Difference Between Hanson & Weil Rates and P.U.C. Rates

Column	1	2	3	4	5	6	7	
		<u>Cost Per Cubic Yard-2200 lbs. in cents</u>						
		H & W Rates and distances		PUC Rates		Difference in Costs in Cents		
<u>Mines</u>		<u>Plant 1 - Plant 2</u>		<u>Plant 1 - Plant 2</u>		<u>Plant 1</u>	<u>Plant 2</u>	
		(A)		(B)	Rate	<u>Col. 4 - 2</u>	<u>Col. 4 - 3</u>	
					Per Cwt.			
		<u>R</u>	<u>D</u>	<u>R</u>	<u>D</u>			
Chieftain	54.45	9	72.60	12	286.00	13	231.55	213.40
Mann	60.50	10	60.50	10	286.00	13	225.50	225.50
Stranger	72.60	12	72.60	12	286.00	13	213.40	213.40
Hogback	84.70	14	66.55	11	286.00	13	201.30	219.45
Diamond	60.50	10	60.50	10	286.00	13	225.50	225.50
Ute	90.75	15	72.60	12	286.00	13	195.25	213.40
Lariat	84.70	14	66.55	11	286.00	13	201.30	219.45
Pioneer	121.00	20	121.00	20	330.00	15	209.00	209.00
Apache	453.75	75	453.75	75	638.00	29	184.25	184.25
Wildcat	121.00	20	102.85	17	330.00	15	209.00	227.15
Buffalo	332.75	55	332.75	55	506.00	23	173.25	173.25

A - $5\frac{1}{2}\phi$ per ton mile, weight 2200 lbs. per yard x distance clay transported.

B - Distance commodity rates x 2200 lbs. per yard.

R - Rate in cents per cubic yard.

D - Distance from mines to plant gate.

<u>NET DIFFERENCE IN COST FOR ROBCO (Period - April-August, 1962)</u>						
	Yards Hauled		Difference in Rates		Additional Cost	
	Plant 1 - Plant 2	Plant 1 - Plant 2	Plant 1 - Plant 2	Plant 1 - Plant 2	Plant 1 - Plant 2	Plant 1 - Plant 2
	(in cu. yds)	(in cu. yds)	(in cents)	(in cents)	(in \$)	(in \$)
					(Col 1x3 - Col 2x4)	
	1	2	3	4	5	6
Chieftain	7536	6804	231.55	213.40	17,450	14,520
Hogback	5916	1116	201.30	219.45	11,909	2,449
Ute	1860	4884	195.25	213.40	3,632	10,423
Lariat	4380	--	201.30	--	8,817	--
Pioneer	5952	10440	209.00	209.00	12,440	21,820
Apache	1937	--	184.25	--	3,569	--
Wildcat	2244	4968	209.00	227.5	4,690	11,285
Buffalo	6516	1980	173.25	173.25	11,289	3,430

Total Col. 1 & 2 - 66533 Cu. Yds. Total Col. 5 & 6 - \$137,723. \$137,723
 ÷ 66,533 - \$2.07 per cubic yard.

Referring to Exhibit 4 in this record and tracing out the effect of an increased cost to Robco of \$2.07 per cubic yard of clay transported for the year 1962 with budgeted cubic yards of 111,564, the total additional cost of \$230,937. With approximate sales of \$4,000,000 the amount of \$230,937 represents 5.8% of sales. Respondent's witness testified that this percentage is greater than the profits of the brick and tile industry. It was estimated by the witness that the estimated increased costs for 1963, based on an increase of \$2.07 per cubic yard, would be \$285,000.

The prescribed rates on clay, if applied to this traffic, would result in an increased cost of \$4.70 per 1000 standard (modular) brick. The second witness for Robco, a sales manager, testified that brick was competitive with aluminum and lumber siding, glass and stone; that 10,000 face brick were used in construction of the average house; that a raise of \$50.00 in the cost of brick would render it less competitive; that an increase in the cost of brick would put Robco at a disadvantage competitively with Marble exterior; that Robco brick products are competitive with those manufactured in Kansas; that an increase of fifty (50) cents per 1000 brick would cause the loss of business and that a \$5.00 increase per 1000 brick would put Robco out of the competitive picture.

The traffic manager for Robco testified that clay has substantially the same transportation characteristics as gravel, sand and dirt; that the rates per ton mile of $5\frac{1}{2}$ cents in plains territory and $8\frac{1}{2}$ cents in mountain territory, etc., as prescribed by this Commission in Case 1585, for distances within a radius of 50 miles of Denver, would be just and reasonable for the transportation of clay; that he had talked with representatives of Weicker Transfer and Storage Co., Red Ball Motor Freight, Inc., Larson Transportation Co., Rio Grande Motor Way, Inc. and Goldstein Transportation & Storage, Inc. and a former representative of Centennial Truck Lines and was informed that none of said carriers had transported crude clay in the Denver area. Rio Grande Motor Way had transported clay in the Delta-Grand Junction areas; that crude clay should be included in paragraph M, Case 1585 embracing commodities on which no rates were prescribed, thereby excluding this commodity from the application of prescribed rates; that earth, one of the

commodities named in paragraph M of Case 1585, includes clay earth and burnt clay products.

Under Chapter 115, Colorado Revised Statutes, 1953, Article 11, Private Motor Carriers, Section 1, it is provided that, --

"Every private carrier is hereby forbidden by discrimination or unfair competition, to destroy or impair the service or business of any motor vehicle common carrier or the integrity of the States' regulations of any such service or business; and to that end, the Commission is hereby vested with power and authority and it is hereby made its duty to prescribe minimum rates, fares and charges to be collected by private carriers when competing with duly authorized motor vehicle common carriers, which rates, fares and charges shall not be less than the rates prescribed for motor vehicle common carriers for substantially the same or similar service. Under such rules and regulations as the Commission may prescribe, every private carrier, subject to the provisions of this Article, shall file with the Commission within such time and in such form as the Commission may designate, and shall keep on file with the Commission at all times, schedules showing rates, charges and collections, collected or enforced, or to be collected or enforced, which in any manner affect or relate to the operations of any such private carrier; and the Commission shall have full power to change, amend or alter any such tariff, or after hearing, fix the rates of any private carrier, or carriers, subject to the provisions of this article and competing with a motor vehicle common carrier."

(Underscoring supplied).

It is abundantly clear and has been established, upon the record before us, that respondent, a private carrier, is not competing with duly authorized motor vehicle common carriers. In the absence of competition, this respondent may initiate and file with the Commission, such rates, rules and regulations, applicable to the transportation of clay, as its managerial discretion dictates. In view of the absence of competition, it becomes unnecessary to comment further on the rates and charges proposed by the respondent.

F I N D I N G S

THE COMMISSION FINDS, That:


1. The schedules under investigation are lawful.
2. This proceeding should be discontinued.

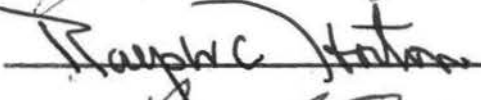
O R D E R


THE COMMISSION ORDERS, That:

1. The Statement and Findings herein be, and they are hereby, made a part hereof.
2. This proceeding be, and is hereby, discontinued.
3. This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado this
8th day of January, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE ITEM 865, FREIGHT TRANSPORTED)
IN "CARGOTAINERS", COLORADO MOTOR)
CARRIERS' ASSOCIATION, AGENT,)
TARIFF NO. 12-A, COLORADO P.U.C.)
NO. 11 -----)

INVESTIGATION AND SUSPENSION
DOCKET NO. 495

January 8, 1963

Appearances: Ralph H. Knull, 775 Wazee Street, Denver
Colorado for Rio Grande Motor Way, Inc.
E. A. Stansfield, Esq., 550 Fifteenth Street
Denver, Colorado for Public Service Company
of Colorado
A. J. Tait and S. J. Philippon, Denver,
Colorado for Staff of the Commission

STATEMENT AND FINDINGS

BY THE COMMISSION:

By schedules 1/ filed to become effective on July 20, 1962, the Colorado Motor Carriers' Association, Inc. on behalf of its members, especially Rio Grande Motor Way, Inc., the proponent, proposed to establish rules and regulations governing freight transported in "Cargotainers". The word "Cargotainers" means only a specifically designed, collapsible, steel wire mesh container which is no less than 36 inches wide, 46 inches in length and 24 inches in height. The operation of said schedules was deferred upon our own motion, to and including November 17, 1962, Decision No. 58928, dated July 16, 1962. By notice dated August 31, 1962 the matter was set for hearing on September 18, 1962. The matter was heard, as scheduled, and taken under advisement. By our decision No. 59617, dated November 9, 1962, the operation of the suspended item was further deferred until May 17, 1963.

As stated in our Decision No. 58928, the suspended schedules were filed on June 14, 1962, the operation thereof being deferred by

1/ Colorado Motor Carriers' Association, Agent, Tariff 12-A, Colo. PUC No. 11, 1st revised Page 89-A, Item 865.

our order dated July 16, 1962, with the number of days between the filed date and the date of our order therein being thirty two (32). In our Decision, Re Increased Rates and Reduced Charges Applicable to Express Shipments Via Certain Bus Carriers, Investigation and Suspension Docket No. 505, Decision No. 59802, dated December 11, 1962, we vacated the order therein where the number of days between the filed date of the suspended matter and the date of our order was thirty-six (36). In both instances, the dates of the orders suspending the filed schedules were prior to the effective dates, but in excess of thirty days of the dates of filing, as provided by Public Utilities Law, C.R.S. 115-6-11, Hearing on Schedules - Suspension - New Rates.




We therefore find that the orders issued herein should be vacated and the proceeding discontinued.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings herein be, and they are hereby, made a part hereof.
2. The orders heretofore entered in this proceeding (Decision No. 58928, dated July 16, 1962 and Decision No. 59617, dated November 9, 1962) suspending the operation of the schedules referred to in the statement and findings herein and ordering an investigation as to the lawfulness thereof, be and they are hereby vacated and set aside as of January 15, 1963, and that this proceeding be discontinued.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado this
8th day of January, 1963

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE THE ELIMINATION OF DALBY	}	INVESTIGATION AND SUSPENSION <u>DOCKET NO. 507</u>
TRANSFER & STORAGE, INC. FROM		
SECTION 6-A, (HOUSEHOLD GOODS)		
MOTOR TARIFF SERVICE NO. 1-A,		
<u>COLORADO PUC NO. 3.</u>		

January 8, 1963

S T A T E M E N T

BY THE COMMISSION:

On December 10, 1962, John P. Norman, Agent, Motor Tariff Service, 1304 Cherokee Street, Denver 4, Colorado, filed 41st Revised Page No. 5-A to Colorado Motor Freight Tariff No. 1-A, Colorado P.U.C. No. 3, scheduled to become effective January 10, 1963.

The revised page provides for the elimination of the provisions shown in Section 6-A of said tariff insofar as they may be applicable to household goods and office furniture, used, second hand, uncrated and unpacked transported by Dalby Transfer & Storage, Inc., Colorado Springs, Colorado under Certificate of Convenience and Necessity No. 343.

This carrier is a participant in The Colorado Transfer and Warehousemen's Association, Agent, Colorado Movers' Tariff No. 4, Colorado P.U.C. No. 2 which also sets forth provisions for the transportation of household goods and office furniture, etc. transported under said certificate.

By the cancellation of the participation Dalby Transfer & Storage, Inc. in Section 6-A of Motor Freight Tariff No. 1-A, Colorado PUC No. 3 increased rates and charges will result.

The increased rates and charges may, if permitted to become effective, result in increases which may be in violation of the Public Utilities Law. It is the opinion of the Commission that the operation of the said schedule should be suspended and an investigation instituted

upon the Commission's own motion concerning the lawfulness of the rates and charges resulting therefrom.

F I N D I N G S

THE COMMISSION FINDS, That:

Upon its own motion, without formal pleading, the schedule as referred to in the statement herein should be suspended and that it enter upon a hearing concerning the lawfulness thereof.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings herein be, and they are hereby, made a part hereof.
2. It shall, upon its own motion enter upon a hearing concerning the lawfulness of the rates and charges resulting from the proposed cancellation of Section 6-A, of Colorado Motor Freight Tariff No. 1-A, Colorado P.U.C. No. 3, as applicable over the lines of Dalby Transfer and Storage, Inc., as provided for on 41st Revised Page No. 5-A, scheduled to become effective January 10, 1963.
3. The operation of said schedule be and is hereby suspended, and the use thereof be deferred to and including May 10, 1963, unless otherwise ordered by the Commission.
4. Neither the schedules hereby suspended nor those sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension or any extension thereof has expired, unless otherwise ordered by the Commission.
5. Seven days prior to the hearing date, respondent shall provide the Secretary of the Commission with copies of any and all exhibits which respondent intends to introduce in evidence in support of its case.
6. A copy of this order be filed with the schedule in the office of the Commission and also be served upon John Norman, Agent, Motor Tariff Service, 1304 Cherokee Street, Denver 4, Colorado and Dalby Transfer & Storage, Inc., in care of Robert E. Gazzaway, Manager, P. O. Box 1668, Colorado Springs, Colorado.

7. This Investigation and Suspension Docket No. 507 be, and the same is hereby set for hearing before the Commission on February 7, 1963, at 10:00 A.M. in the hearing room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado this
8th day of January, 1963.

original

(Decision No. 59907)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ALEX MILLER AND DOUGLAS MAJORS,)
STOCKHOLDERS, 8121 QUEBEC STREET,)
DERBY, COLORADO, FOR AUTHORITY TO)
TRANSFER STOCK IN BUILDING MOVERS,)
INC., TO ARDEN TEACH, THELMA TEACH,)
AND AL EISENBIESZ, 145 MAIN STREET,)
BROOMFIELD, COLORADO.)

APPLICATION NO. 19525-Stock Transfer

IN THE MATTER OF THE APPLICATION OF)
ARDEN TEACH, THELMA TEACH, AND AL)
EISENBIESZ, 145 MAIN STREET, BROOM-)
FIELD, COLORADO, FOR AUTHORITY TO)
TRANSFER STOCK IN BUILDING MOVERS,)
INC., TO IRA WELLS, DELVIN WELLS,)
AND VARD WELLS, 6334 LEETSDALE)
DRIVE, DENVER, COLORADO.)

APPLICATION NO. 19526-Stock Transfer

January 8, 1963

Appearances: John Atkinson, Esq., Denver,
Colorado, for Applicants.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Alex Miller and Douglas Majors, Derby, Colorado, owners of
the stock in Building Movers, Inc., operating under PUC No. 3922 and
authorizing:

call and demand service for the transportation of
houses and buildings between points within a ra-
dius of 50 miles of and including the City and
County of Denver, Colorado,

seek authority to transfer all their stock in said Building Movers,
Inc., to Arden Teach, Thelma Teach, and Al Eisenbiesz, Broomfield,
Colorado; and by Application No. 19526-Stock Transfer, said Arden
Teach, Thelma Teach, and Al Eisenbiesz, Broomfield, Colorado, seek
authority to transfer all their stock in said Building Movers, Inc.,
to Ira Wells, Delvin Wells, and Vard Wells, Denver, Colorado.

Said applications were regularly set for hearing at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, December 28, 1962, due notice of time and place of hearing being forwarded to all interested parties.

Upon calling up for hearing Application No. 19525-Stock Transfer and Application No. 19526-Stock Transfer, it appeared that the captions to the proceedings were in error and that the same should be for the transfer of stock in the corporation rather than the transfer of the certificate.

It appearing to the Commission and the Commission finds that no one will be prejudiced by correcting the captions to the proceedings, and the same is ordered to be corrected as indicated.

It appeared at the time of the hearing that the applications should be consolidated for hearing and that by so doing the rights of no one would be jeopardized. The same were heard on a consolidated hearing.

John Atkinson, Attorney for the Applicants, also testified as a witness in support of the stock transfer, as did Alex Miller, Arden Teach, and Vard Wells.

It appears from the testimony of the witnesses and from the Exhibits received in evidence that the stock transfers are compatible with the public interest, and that the same should be authorized.

O R D E R

THE COMMISSION ORDERS:

That Alex Miller and Douglas Majors, Derby, Colorado, be, and hereby are, authorized to transfer all their stock in Building Movers, Inc., operating under PUC No. 3922, to Arden Teach, Thelma Teach, and Al Eisenbiesz, Broomfield, Colorado.

That Arden Teach, Thelma Teach, and Al Eisenbiesz, Broomfield, Colorado, be, and hereby are, authorized to transfer all their stock in Building Movers, Inc., operating under PUC No. 3922, to Ira

Wells, Delvin Wells, and Vard Wells, Denver, Colorado.

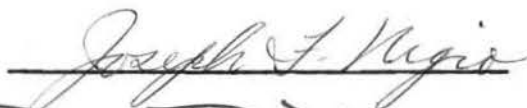
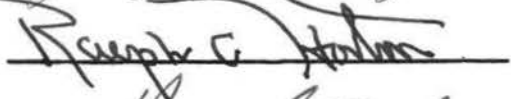
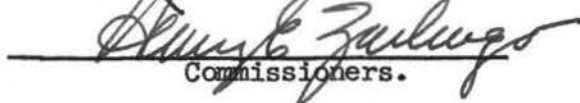
That said transfers shall become effective only if and when, but not before, said transferors and transferees, in writing, have advised the Commission that said stock transfers have been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements 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 stock transfers, 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 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 transferors of delinquent reports, if any, covering operations under PUC No. 3922 up to the time of transfer of said stock.

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 8th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
E. NEIL WILLIAM, JACK CLEAVER AND)
GEORGE NEUJAH, DOING BUSINESS AS,)
"VALLEY TIMBER COMPANY", 1357 HARLAN,)
LAKEWOOD 15, COLORADO.)

PERMIT NO. M-6417

January 17, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from E. Neil William, Jack
Cleaver and George Neujahr, dba "Valley Timber Company", Lakewood 15, Colorado
requesting that Permit No. M-6417 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6417, heretofore issued to E. Neil William, Jack
Cleaver and George Neujahr, dba "Valley Timber Company", Lakewood 15, Colorado be,
and the same is hereby, declared cancelled effective December 20, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 17th day of January, 19 63.

original

(Decision No. 59909)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE A. FAGLER AND GEORGE H.)
FAGLER, DOING BUSINESS AS "A & H)
MOVING & EXPRESS COMPANY," 2027 WEST)
ALAMEDA, DENVER, COLORADO, FOR AU-)
THORITY TO TRANSFER PUC NO. 3978 TO)
GEORGE A. FAGLER, DOING BUSINESS AS)
"A & H MOVING & EXPRESS COMPANY,")
2027 WEST ALAMEDA, DENVER, COLORADO.)

APPLICATION NO. 19530-Transfer

January 8, 1963

Appearances: George A. Fagler, Denver, Colo-
rado, for Transferors and
Transferees.

STATEMENT AND FINDINGS OF FACT

By the Commission:

George A. Fagler and George H. Fagler, doing business as "A
& H Moving & Express Company," Denver, Colorado, are the owners and
operators of PUC No. 3978, authorizing:

transportation of household goods, baggage, new
appliances, and light express, from point to
point within the City & County of Denver, State
of Colorado, limited to the use of one truck of
three-fourths-ton capacity,

and by the instant application seek authority to transfer said PUC No.
3978 to George A. Fagler, doing business as "A & H Moving & Express
Company," 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, 532 State Services Building, Denver, Colorado,
December 28, 1962, and at the conclusion of the evidence, the matter
was taken under advisement.

George A. Fagler, one of the co-partners of the transferor,

testified in support of the transfer.

It appears to the Commission and the Commission so finds from the evidence adduced that the operation will continue in every respect the same as has been conducted heretofore with the exception that the same will be conducted by the transferee, George A. Fagler, doing business as "A & H Moving & Express Company," as an individual rather than by the co-partnership transferor, wherein the Transferee was a co-partner.

The Commission further finds that the Transferee will have sufficient equipment and experience to properly carry on the operations under the certificate; and, that the Transferee's financial standing is established to the satisfaction of the Commission.

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

O R D E R

THE COMMISSION ORDERS:

That George A. Fagler and George H. Fagler, doing business as "A & H Moving & Express Company," Denver, Colorado, be, and hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 3978 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to George A. Fagler, doing business as "A & H Moving & Express Company," Denver, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said 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
Joseph C. Horton
Samuel Z. Zullinger
Commissioners.

Dated at Denver, Colorado,
this 8th day of January, 1963.

mls

original

(Decision No. 59910)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
J. S. KLOBERDANZ, DOING BUSINESS AS)	
"ACME SAND & GRAVEL COMPANY," ROUTE)	
1, BOX 106, HENDERSON, COLORADO, FOR)	APPLICATION NO. 19527-PP-Transfer
AUTHORITY TO TRANSFER PERMIT NO.)	
B-4215 TO ACME SAND & GRAVEL COM-)	
PANY, INC., ROUTE 1, BOX 106,)	
HENDERSON, COLORADO.)	

January 8, 1963

Appearances: J. S. Klobberdanz, Henderson,
Colorado, for Transferor
and Transferee.

STATEMENT AND FINDINGS OF FACT

By the Commission:

J. S. Klobberdanz, doing business as "Acme Sand & Gravel Com-
pany," Henderson, Colorado, is the owner and operator of Permit No.
B-4215, authorizing:

transportation of sand, gravel, dirt and other
road surfacing materials from pits and supply
points in the State of Colorado, to road and
building construction jobs within a radius of
fifty miles of said pits and supply points, ex-
cluding service in Boulder, Clear Creek and
Gilpin Counties;

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,

and by the instant application seeks authority to transfer said Permit No. B-4215 to Acme Sand & Gravel Company, Inc., Henderson, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, December 28, 1962, and at the conclusion of the evidence, the matter was taken under advisement.

J. S. Kloberdanz appeared and testified that the purpose of the transfer was to transfer Permit No. B-4215 to a corporation from himself as an individual; that he is the owner and controls the corporation, Transferee.

It appears to the Commission and the Commission so finds that the Transferee will have sufficient equipment and experience to properly carry on the operations under said permit; and, that the Transferee's financial standing is established to the satisfaction of the Commission.

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

ORDER

THE COMMISSION ORDERS:

That J. S. Kloberdanz, doing business as "Acme Sand & Gravel Company," Henderson, Colorado, be, and hereby is, authorized to transfer all his right, title, and interest in and to Permit No. 4215 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Acme Sand & Gravel Company, Inc., Henderson, 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 its 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. Negro
Richard C. Johnson
Henry E. Zachary
Commissioners.

Dated at Denver, Colorado,
this 8th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LAWRENCE I. MILLER AND VIRGIL V.)
PARKER, CO-PARTNERS, DOING BUSINESS)
AS "M & P RUBBISH REMOVAL SERVICE,")
25 SOUTH EVERETT, LAKEWOOD, COLO-)
RADO, FOR AUTHORITY TO TRANSFER PUC)
NO. 3452 TO GORDON IBOLD AND HOMER)
JENNINGS, DOING BUSINESS AS "GREEN)
MOUNTAIN DISPOSAL SERVICE," 2700)
VANCE STREET, DENVER, COLORADO.)

APPLICATION NO. 19531-Transfer
Amended

IN THE MATTER OF THE APPLICATION OF)
LAWRENCE MILLER, VIRGIL PARKER, AND)
WILLIAM FARROW, DOING BUSINESS AS)
"M P & F RUBBISH REMOVAL," 25 SOUTH)
EVERETT, LAKEWOOD, COLORADO, FOR)
AUTHORITY TO TRANSFER PUC NO. 5341)
TO GORDON IBOLD AND HOMER JENNINGS,)
DOING BUSINESS AS "GREEN MOUNTAIN)
DISPOSAL SERVICE," 2700 VANCE STREET,)
DENVER, COLORADO.)

APPLICATION NO. 19532-Transfer
Amended

January 8, 1963

Appearances: Vigil A. Boatright, Esq.,
Denver, Colorado, for
Transferors and Trans-
ferees.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Lawrence I. Miller and Virgil V. Parker, co-partners, doing
business as "M & P Rubbish Removal Service," Lakewood, Colorado, are
the owners and operators of PUC No. 3452, authorizing:

transportation of ashes, trash, and other
refuse, between points within the City and
County of Denver, State of Colorado, and
from points in the City and County of Den-
ver to regularly-designated and approved
dumps and disposal places in the Counties of
Adams, Arapahoe, and Jefferson;

transportation of fertilizer, between points
within the City and County of Denver, State
of Colorado;

and by the instant application seek authority to transfer said PUC No. 3452 to Gordon Ibold and Homer Jennings, doing business as "Denver, Lakewood, Green Mountain Disposal Service," Denver, Colorado.

Lawrence Miller, Virgil Parker, and William Farrow, doing business as "M P & F Rubbish Removal," Lakewood, Colorado, are the owners and operators of PUC No. 5341, authorizing:

transportation of ashes, trash, rubbish, and other debris, in the territory known and described as follows: beginning at First Avenue and Sheridan Boulevard; thence due west on First Avenue, as extended, to the Hog Back Road; thence in a southerly direction along the Hog Back Road to where the Hog Back Road and Morrison Road intersect (U. S. 285); thence east and northeast following Morrison Road (U. S. 285) to Sheridan Boulevard; thence north along Sheridan Boulevard to the point of beginning,

and by the instant application seek authority to transfer said PUC No. 5341 to Gordon Ibold and Homer Jennings, doing business as "Denver, Lakewood, Green Mountain Disposal Service," Denver, Colorado.

Said applications, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, December 28, 1962, and at the conclusion of the evidence, the matter was taken under advisement.

It appeared to the Commission that the applications should be consolidated for hearing and the same were so consolidated.

Homer Jennings and Gordon Ibold testified in support of the transfers.

In addition to the evidence testified to by the witnesses, three exhibits were introduced and received in evidence in each proceeding disclosing the financial condition of Homer Jennings and Gordon Ibold, and the Agreement for the sale and transfer.

It appears to the Commission and the Commission finds that the transferees will have sufficient equipment and experience to

properly carry on the operations under the certificates; and, that the transferees' financial standing is established to the satisfaction of the Commission.

A motion was made to amend the trade name of the Transferees from the trade name, to-wit: "doing business as 'Denver, Lakewood, Green Mountain Disposal Service,'" to "Green Mountain Disposal Service." The motion was granted.

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

O R D E R

THE COMMISSION ORDERS:

That Lawrence I. Miller and Virgil V. Parker, co-partners, doing business as "M & P Rubbish Removal Service," Lakewood, Colorado, be, and hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 3452 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Gordon Ibold and Homer Jennings, doing business as "Green Mountain Disposal Service," Denver, Colorado, subject to outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That Lawrence Miller, Virgil Parker, and William Farrow, doing business as "M P & F Rubbish Removal," Lakewood, Colorado, be, and hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 5341 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Gordon Ibold and Homer Jennings, doing business as "Green Mountain Disposal Service," Denver, Colorado, subject to outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfers shall become effective only if and when, but not before, said transferors and transferees, in writing, have advised the Commission that said certificates have been formally assigned


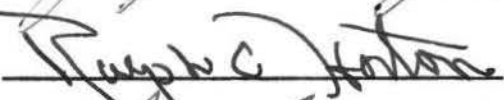
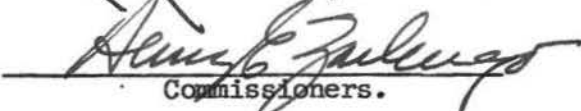
and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of the Order shall automatically revoke the authority herein granted to make the 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 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 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




Commissioners.

Dated at Denver, Colorado,
this 8th day of January, 1963.

mls

original

(Decision No. 59912)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
THE BOARD OF COUNTY COMMISSIONERS
FOR DOUGLAS COUNTY, CASTLE ROCK,
COLORADO, AND THE DENVER AND RIO
GRANDE WESTERN RAILROAD COMPANY,
DENVER, COLORADO, FOR AUTHORITY TO
ESTABLISH PUBLIC ROAD GRADE CROSSING
OVER THE LOUVIERS POWDER SPUR RAIL-
ROAD TRACK AT MILE POST 0.75 IN
LOUVIERS SUBDIVISION, DOUGLAS COUNTY,
CASTLE ROCK, COLORADO.

APPLICATION NO. 19453

January 8, 1963

Appearances: Royce D. Sickler, Esq., Denver,
Colorado, for Applicants;
J. L. McNeill, Denver, Colorado,
for the Staff of the Commis-
sion.

S T A T E M E N T

By the Commission:

On November 13, 1962, the joint application as captioned above was filed with this Commission by Attorneys for The Denver and Rio Grande Western Railroad Company. Hearing in the matter was thereafter set for December 28, 1962, in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. After appropriate notice to the interested parties, to the town Manager, Louviers, Colorado, and to E. I. du Pont de Nemours & Company, Louviers, Colorado, the application was heard by the Commission and taken under advisement.

With reference to the Commission files and to the instant application, it appears that the Louviers Powder Spur trackage was constructed on an easement for a right of way which was granted to the Railroad Company on September 20, 1906, by E. I. du Pont de Nemours & Company. No arrangement was made with E. I. du Pont de Nemours Com-

pany for any private road crossings and the date of the establishment of the private road crossing, which is the subject of this application, is not known.

The private crossing has therefore been in existence for many years to serve company housing of the Du Pont Company and for early manufacturing plant needs.

More recently, the Du Pont Company decided to sell its Company housing located at Louviers and on or about October 3, 1960, said Company submitted its plat of the Louviers Subdivision and dedicated the streets and roadways to Douglas County, Colorado; said dedication was therewith duly accepted by resolution of the Board of Douglas County Commissioners; the Louviers Subdivision plat and Planning Board approval, being filed for record on October 11, 1960, with the Douglas County Clerk and Recorder.

After inquiry to this Commission by Douglas County and subsequent inspection at the crossing site by representatives of this Commission and the County Commissioners' office, it was apparent that continuance of the crossing would be required for village access, school bus movements and related public travel in order to fully serve village residents and the adjacent plant facilities. A tentative plan and procedure was therewith formulated to secure certain road and protection improvements at the crossing and to thereafter make application to the Public Utilities Commission for approval as a public crossing.

At the hearing the following exhibits were received and other explanatory testimony presented by Mr. A. C. Black, Division Engineer at Denver for Rio Grande Railroad and Mr. Donald D. Williams, Douglas County Commissioner:

Exhibit A: Map - Rio Grande Drawing No. L-132 shows portion of Louviers street layout with line of Rio Grande railroad in yellow; crossing location is shown in red at intersection of Main Street and Louviers Blvd.

Exhibit B: Certified copy of minutes of Special Meeting of the Board of Douglas County Commissioners, October 29, 1962, to approve execution of application for public crossing authority by The Colorado Public Utilities Commission.

Exhibit C: Correspondence dated December 26, 1962, wherein the Du Pont Company acknowledges the Commission notice of hearing; said Company expresses 'no objection' to the public crossing and offers support for its establishment.

Mr. Black noted the interest of Rio Grande as extending back to 1906 for operation of a single-track spur line to serve the explosive powder manufacturing plant of the Du Pont Company; service now consists of switching movements into and out of the plant some two to three times per week; that upon notice of the change in crossing status from 'private' to 'public', railroad work to improve the crossing has been done as follows:

1. Widen crossing from 29 feet to 37 feet and renew the track ties.
2. Repair and replace timber planking.
3. Place two crossbuck warning signs--one on each side of the track.

Cost of work and material renewals was \$400.00. He reported no other public utilities were affected by the crossing work and not sufficient volume of rail traffic is involved to indicate need for a grade separation structure.

Commissioner Williams explained that the Louviers Subdivision is located in his district; that Douglas County had approved the change from a private housing facility to a public subdivision and the instant crossing would therefore be treated as a public crossing; that the Louviers development consists of some 75 homes; that Main Street over the rail crossing was asphalt paved by the Du Pont Company, it offers a smooth level approach on the west side of the track, with a slight curvature and up-grade approach from the east side; that recent work done by Douglas County to up-grade the crossing was:

1. Widen the road at west approach to provide an extra stopping lane.
2. Place standard Railroad Advance Warning signs on the road at both approaches to the track.

Cost of work and materials was \$240.00.

Mr. Williams explained further that truck movements of explosives from the Du Pont plant are not made over the instant crossing, but that in recent years a new roadway was built for a separate and more direct plant access. Other construction has also provided an alternate roadway extending northward from Louviers toward Sedalia that does not cross the instant Rio Grande spur line. Mr. Williams described switching movements over the crossing as being quite slow (six to eight miles per hour); also, that all work as described was done for the public benefit and he is not aware of any demand or necessity for added signal devices at the crossing.

No other testimony was presented and no protest was submitted at the hearing. It appears that here we have what in fact has been a public crossing but which has never been formally designated as such. The transfer of street and road ownership from a private industry to Douglas County establishes the public nature of the affected roadway (Main Street) and the related crossing at grade over the Rio Grande rail spur track. Installation of standard crossing construction and protection signing is in conformance with Commission specifications; the long established usage and current needs indicate that approval as a public crossing will be for the public benefit.

F I N D I N G S

THE COMMISSION FINDS:

That it is informed in the instant matter and the foregoing Statement, by reference, is made a part of these Findings.

That recent crossing improvements and installation of standard protection signing of crossbucks and Advance Warning Signs meet the

minimum specifications for a public road grade crossing over the Louviers Powder Spur railroad track (Mile Post 0.75) of The Denver & Rio Grande Western Railroad in Louviers Subdivision, Douglas County, Colorado.

That the public safety, convenience and necessity require the establishment and maintenance of a public grade crossing at said location as requested herein.

O R D E R

THE COMMISSION ORDERS:

That Applicants, the Board of County Commissioners for Douglas County, Colorado, and The Denver and Rio Grande Western Railroad Company, be, and hereby are, granted a certificate of public convenience and necessity to authorize and approve the establishment, operation and maintenance of a public grade crossing where Main Street, Louviers Subdivision, Louviers, Colorado, crosses over the Rio Grande Railroad, Louviers Powder Spur track at Mile Post 0.75 thereof, and located in the Northeast $\frac{1}{4}$, Section 4, Township 7 South, Range 68 West, Sixth Principal Meridian, Douglas County, Colorado.

That protective devices and or warning signs and the maintenance thereof shall be in conformance with the Bulletin of the Association of American Railroads' Joint Committee on Railroad Protection.

That jurisdiction is retained by the Commission to make such additional Order or Orders herein as may be required in the future.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Meyer
Raymond C. Horton
Alvin E. Zarlengo
Commissioners.

Dated at Denver, Colorado,
this 8th day of January, 1963.

mls

IN THE MATTER OF THE APPLICATION OF
POUDRE VALLEY RURAL ELECTRIC ASSOCIATION,
INC., A CORPORATION, FORT COLLINS, COLORADO,
FOR AN ORDER AUTHORIZING THE ISSUANCE OF
SECURITIES, AND THE APPLICATION OF THE
PROCEEDS THEREFROM TO CERTAIN LAWFUL PURPOSES.)

APPLICATION NO. 19561
Securities

S T A T E M E N T

By the Commission:

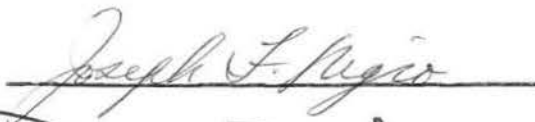


Upon consideration of the application of Poudre
Valley Rural Electric Association, Inc., a corporation, in the above
styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on
January 21, 1963, at 10:00 o'clock A. M., 532 State Services Building,
Denver, Colorado, respecting the matters involved and issues presented
in the 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 proceeding. Intervention petitions
should be filed with the Commission on or before January 15, 1963,
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




Commissioners

Dated at Denver, Colorado,
this 10th day of January, 1963.

original

(Decision No. 59914)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DULCINIA HURST, ADMINISTRATRIX OF)
THE ESTATE OF CHARLES L. HURST, ALSO)
KNOWN AS "C. L. HURST," DECEASED,)
5365 NORTH LINCOLN STREET, DENVER,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC No. 3359 TO BRENTWOOD HAULING)
SERVICE, INC., 2799 SOUTH GROVE)
STREET, DENVER, COLORADO.)

APPLICATION NO. 19528-Transfer

January 8, 1963

Appearances: Edward C. Hastings, Esq.,
Denver, Colorado, for
Transferor and Trans-
feree.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, Dulcinia Hurst, Administratrix of the Estate of Charles L. Hurst, also known as "C. L. Hurst," Deceased, Denver, Colorado, seeks authority to transfer PUC No. 3359 to Brentwood Hauling Service, Inc., Denver, Colorado, said PUC No. 3359 authorizing:

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.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, December 28, 1962, and at the conclusion of the evidence, the matter was taken under advisement.

No one appeared in opposition to the proposed transfer.

Dulcinia Hurst, Administratrix, and Orville L. Krueger, President of the Transferee corporation, testified in support of the transfer. From the evidence it appears to the Commission and the Commission finds that the legal requirements for transfer of the permit have been complied with and that the transfer should be authorized; that the transferee will have sufficient equipment and experience to properly carry on the operation; and, that the transferee's financial standing is established to the satisfaction of the Commission.

O R D E R

THE COMMISSION ORDERS:

That Dulcinia Hurst, Administratrix of the Estate of Charles L. Hurst, also known as "C. L. Hurst," Deceased, Denver, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 3359 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Brentwood Hauling Service, Inc., Denver, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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

feree 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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Hatan
Henry E. Zuehlke
Commissioners.

Dated at Denver, Colorado,
this 8th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
DENVER SOUND SPECIALISTS, INC.)
605 14th Street)
Denver 2, Colorado)
-----)

AUTHORITY NO. M 7222

CASE NO. 10735 Ins.

January 14, 1963

S T A T E M E N T

By the Commission:

On December 20, 1962, in the above Case, the Commission entered its Order revoking the above Authority for failure to maintain effective insurance on file with the Commission. Proper insurance filing has now been made with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said Authority should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That said Authority be, and the same hereby is, reinstated, as of the date of revocation, and the said revocation Order be, and the same hereby is, vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Samuel C. Westcott
Henry E. Zepke
Commissioners

Dated at Denver, Colorado,
this 14th day of January, 1963

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ELLA M. HANKINS, WIDOW OF JOHN)	
HANKINS, DECEASED, 830 ELATI STREET,)	
DENVER, COLORADO, FOR AUTHORITY TO)	<u>APPLICATION NO. 19529-PP-Transfer</u>
TRANSFER PERMIT NO. B-2557 TO THERON)	
LAWSON, 825 SOUTH YATES STREET,)	
DENVER, COLORADO.)	

January 8, 1963

Appearances: Ralph E. Crandell, Jr., Esq.,
Denver, Colorado, for Trans-
feror and Transferee.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, Ella M. Hankins, widow of John Hankins, Deceased, Denver, Colorado, seeks authority to transfer Permit No. B-2557 to Theron Lawson, Denver, Colorado, said Permit No. B-2557 authorizing:

transportation of ashes, trash, refuse, and rubbish, from points within the City and County of Denver, to regularly-designated and approved dumps and disposal places, from construction projects, only, limited to the use of one truck of one-half-ton capacity.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, December 28, 1962, and at the conclusion of the evidence, the matter was taken under advisement.

Theron Lawson, transferee in the within application, testified in support of the transfer. It appeared from the evidence adduced that the owner of the permit died November 26, 1962; that a small estates proceeding was undertaken and an Order of the Court ob-

tained wherein Ella M. Hankins, the widow of the transferor herein mentioned, is the sole distributee.

It appears to the Commission that the legal requisites have been complied with and that the transfer should be authorized; that the transferee is a fit and proper person, will have sufficient equipment and experience to properly carry on the operations under the permit.

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 Ella M. Hankins, widow of John Hankins, Deceased, Denver, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to Permit No. B-2557 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Theron Lawson, Denver, Colorado, subject to payment of all 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

Joseph F. Nigro
Ralph C. Hinton
Henry C. Zuluaga
Commissioners.

Dated at Denver, Colorado,
this 8th day of January, 1963.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ALBERT HOELSKEN AND LEONARD AMATO,)
DOING BUSINESS AS "ACTIVE RUBBISH)
SERVICE," 88 SOUTH INGALLS, DENVER,)
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY, AU-)
THORIZING EXTENSION OF OPERATIONS)
UNDER PUC NO. 3729.)

APPLICATION NO. 19499-Extension

January 8, 1963

Appearances: David D. Mulligan, Esq., Den-
ver, Colorado, for Applicant;
Salazar and Delaney, Esqs., by
Herbert W. DeLaney, Jr., Esq.,
Denver, Colorado, for D. R.
Hart, Decker Disposal, Inc.,
Weber's Hauling Service,
Derby Waste Disposal, Ruben
Lee;
Bennett S. Aisenberg, Esq., Den-
ver, Colorado, for Best-Way
Disposal.

S T A T E M E N T

By the Commission:

By the above-styled application, applicants herein seek authority to extend operations under PUC No. 3729, to include the right to transport ashes, trash, and other waste material, from the offices of Consolidated Freightways within the County of Adams, State of Colorado, to regularly-designated and approved dumps and disposal places in the Counties of Adams and Jefferson, State of Colorado.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, December 13, 1962, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On December 12, 1962, the Commission, as provided by law, designated Louis J. Carter, 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, Attorney for Protestants moved that said matter be continued, to be re-set for hearing some time subsequent to January 15, 1963.

There being no objection thereto, said motion was granted.

Report of the Examiner recommends that said application be continued, to be re-set for hearing before the Commission at a date subsequent to January 15, 1963, 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.

After reviewing the report of the Examiner herein, we find that the above-styled application should be continued, to be re-set for hearing before the Commission on a date subsequent to January 15, 1963, 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. 19499-Extension be, and the same hereby is, continued, to be re-set for hearing before the Commission on a date subsequent to January 15, 1963, 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. Holton
Henry J. Zulinger
Commissioners.

Dated at Denver, Colorado,
this 8th day of January, 1963.
mls

original

(Decision No. 59918)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHUCK WENMAN EXCAVATING, 4697 SOUTH)
PEARL STREET, ENGLEWOOD, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE AS)
A PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 19334-PP
SUPPLEMENTAL ORDER

January 8, 1963

S T A T E M E N T

By the Commission:

On September 27, 1962, the Commission entered its Decision No. 59354, granting to applicant herein the right to operate as a Class "B" private carrier by motor vehicle for hire, as therein set forth.

The Commission has now been advised that the correct name of applicant herein is "Chuck Wenman Excavating, Inc.," and request has been made that the records of the Commission be corrected so to show.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the Secretary of the Commission is hereby directed to change the records of the Commission under Application No. 19334-PP to show applicant therein to be:

"Chuck Wenman Excavating, Inc.,"

in lieu of:

"Chuck Wenman Excavating."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Francis C. Hahn
Henry E. Zuluaga
Commissioners.

Dated at Denver, Colorado,
this 8th day of January, 1963.

mls

original

(Decision No. 59919)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
KENNETH POSEY AND L. J. POSEY, DOING)
BUSINESS AS "POSEY & SON," KREMMLING,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 19312-PP
SUPPLEMENTAL ORDER

January 8, 1963

Appearances: L. J. Posey, Kremmling,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On October 31, 1962, the Commission entered its Decision No. 59513, granting to applicants herein the right to operate as a Class "B" private carrier by motor vehicle for hire, said Order being effective November 21, 1962.

The Commission is now in receipt of a request from applicants that said operating rights be suspended for a period of six months.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Kenneth Posey and L. J. Posey, doing business as "Posey & Son," Kremmling, Colorado, be, and they hereby are, allowed to suspend operations under authority granted by Decision No. 59513, of date October 31, 1962, nunc pro tunc, from November 21, 1962, until May 21, 1963.

That unless said Kenneth Posey and L. J. Posey, doing business

as "Posey & Son," shall, prior to expiration of said suspension period, reinstate said operating rights by filing insurance and otherwise complying with all rules and regulations of this Commission applicable to private carrier permits, said permit, without further action by this Commission, shall stand revoked, without right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Hutton
Samuel E. Zalusko
Commissioners.

Dated at Denver, Colorado,
this 8th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF A GENERAL INVESTIGATION)
OF THE RATES ON PETROLEUM AND PETROLEUM)
PRODUCTS MOVING INTRASTATE IN PLAINS)
TERRITORY IN COLORADO BY RAIL IN TANK)
CARS AND BY TRUCKS IN TANK TRUCKS)

CASE NO. 5007

January 11, 1963

S T A T E M E N T

BY THE COMMISSION:

On October 20, 1949, Decision No. 33632, the Commission instituted, on its own motion, an investigation of the reasonableness of the then present rail and motor rates on petroleum and petroleum products in tank trucks from Denver, Dupont and La Junta, to points of destination located in the so-called Plains Territory on intrastate traffic in Colorado, and an investigation as to the advisability or necessity of establishing a relationship between rail and motor carrier rates on such traffic.

The matter was not assigned for a public hearing at that time, nor has any action been taken in this case since the entry of the order under Decision No. 33632.

On October 1, 1950 and October 25, 1950, the Class I rail carriers (including The Great Western Ry. Co.), operating in Colorado (except Missouri Pacific R.R. Co.), proposed to reduce the rates on gasoline and light oils, in tank-car loads, from Denver and Dupont, Colorado, to destinations on the Atchison, Topeka and Santa Fe Railway South of Denver to and including Pueblo, Colorado; to all stations in Colorado on the Chicago, Burlington & Quincy R. R. Co.; to all stations in Colorado on the Chicago, Rock Island and Pacific Railway Company; to all stations in Colorado on The Colorado and Southern Railway Company; to Minnequa, Colorado, on The Colorado & Wyoming Ry. Co.; on the Denver and Rio Grande Western R. R. Co., South of Denver to and including Trinidad and Jansen,

Colorado; to Mead and Johnstown on the Great Western Ry. Co.; and to all stations in Colorado on the Union Pacific R. R. Co.

Similar schedules were also filed with the Interstate Commerce Commission on interstate traffic from Wyoming and Colorado to Wyoming, Colorado, Western South Dakota, Nebraska and Kansas. Also with the Public Service Commission of Wyoming on Wyoming intrastate traffic. Upon protest of for-hire tank-truck carriers, the operation of the proposed schedules was suspended by this Commission on Colorado intrastate traffic, I & S Nos. 316 and 318; by the Interstate Commerce Commission on interstate traffic and by the Wyoming Commission on Wyoming Intrastate traffic.

The interstate case was docketed as I & S No. 5853, and the Wyoming Case as I & S No. R-I.

The proceedings were assigned for hearing by this Commission and the Interstate Commerce Commission in Denver, Colorado, in the hearing room of this Commission, 330 State Office Building, Denver, Colorado, on November 19, 1951, under the cooperative plan. A further and separate hearing was held before the Wyoming Commission.

In disposing of the issues in I & S No. 5853, the Interstate Commerce Commission found that the rail rates on the traffic involved for short-line distances under 75 miles should be no lower than the corresponding rates of the tank-truck carriers, and that for the longer hauls, their rates should in no instance be lower than 1.5 cents under the prevailing tank-truck rates from and to the same points (289 ICC 457).

Under Decision No. 41030, I & S Nos. 316 and 318, dated July 29, 1953, this Commission made similar findings. Under these findings, as we view the situation, the relation between the rates of the two sets of carriers has been established thereby eliminating the issues involved in case No. 5007, as set forth in Decision No. 33632.

F I N D I N G S

THE COMMISSION FINDS, That:

The order instituting Case No. 5007, should be vacated and that the proceedings should be discontinued.

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 order entered under Decision No. 33632 dated October 20, 1949, be and the same is hereby vacated and that the proceedings be discontinued.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners

Dated at Denver, Colorado this
11th day of January, 1963.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PLATEAU NATURAL GAS COMPANY, 20)
BOULDER CRESCENT, P. O. BOX 1219,)
COLORADO SPRINGS, COLORADO, FOR A)
DETERMINATION OF A FAIR RETURN UPON)
THE VALUE OF ITS GAS PROPERTIES DE-)
VOTED TO PUBLIC USE IN THE STATE OF)
COLORADO, THE GROSS REVENUES TO WHICH)
APPLICANT MAY BE ENTITLED FROM ITS)
OPERATIONS, AND PENDING SUCH DETER-)
MINATION, THAT THE COMMISSION AUTHOR-)
IZE THE PLACING IN EFFECT, ON LESS)
THAN STATUTORY NOTICE, CERTAIN RATES,)
BEING THE SAME RATES AS PRESENTLY)
CHARGED BY SUCH COMPANY.)

APPLICATION NO. 19511

January 8, 1963

Appearances: Lee, Bryans, Kelly and Stansfield,
Esqs., Denver, Colorado, by
Edgar A. Stansfield, Esq., and
Robert F. Thompson, Esq., for
Applicant;
Harlan Johnson, Esq., Lamar, Colo-
rado, for City of Lamar, Colorado;
Henry S. Sherman, Esq., Denver,
Colorado, for Southern Division
of Applicant;
John J. Lefferdink, Esq., Eads,
Colorado, for the Town of Eads,
Colorado;
Schmidt & Schmidt, Esqs., Spring-
field, Colorado, for the Town of
Springfield, Colorado;
E. R. Thompson, Denver, Colorado,
and
J. M. McNulty, Denver, Colorado,
for the Staff of the Commission.

S T A T E M E N T

By the Commission:

This matter came on for hearing on application of Plateau
Natural Gas Company, Colorado Springs, Colorado, to place in effect,
conditionally, upon less than statutory notice, new rates, ancillary
to and as a part of its application for a determination of a fair re-

turn upon the value of its gas properties devoted to public use in the State of Colorado.

On the basis of this application, the matter was set for hearing for determination of the question of filing of rates on less than statutory notice, at ten o'clock A. M., December 26, 1962, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, at which time and place said matter was heard and taken under advisement.

The sole issue joined before the Commission in this hearing was the question of allowing the applicant to conditionally place these rates into effect, without reference to the justness or reasonableness thereof.

Applicant adduced testimony to the effect that it was awarded an increase in its gross annual revenues of some \$70,000 in the Year 1960, by this Commission. These rates were distributed between the Northern and Southern Divisions of Plateau. On appeal, the District Court in and for the County of Prowers, Colorado, reversed said Order.

Plateau is now faced with either appealing said Decision, or reverting back to its original rates prior to the 1960 Order of this Commission, which would afford Plateau a rate of return of 3.2%.

In addition, it was the testimony of Plateau that the rate increase which is now under a cloud is based upon the test year 1959. Rates which the applicant proposes to file are based upon a 1961 test year, which will reflect increased costs, including expense of a two and one-half million dollar construction program. The rates which Plateau proposes to file are exactly the same, in every particular, as the rates currently on file, which have been attacked in the Prowers County District Court.

Plateau also proposes to place these rates into effect conditionally, as a voluntary matter, and to furnish its undertaking to repay any excess charge there may be in said rates over what the Com-

mission may find to be a just and reasonable rate in any future hearing.

When consideration is given to the fact that Plateau, as a public utility, must continue to improve and expand its service, and discharge its public utility obligations, and that it must do so through the generation of cash by its internal operations, in order to base its credit for its expansion and plant additions, and in view of the fact that if the Decision of the District Court of Prowers County should become final, a real danger does exist to the financial integrity of the company, at a rate of return of 3.2%, which is wholly insufficient to serve the indebtedness of the company. To thus jeopardize the financial integrity would be to jeopardize its ability to render public utility service.

In view of the fact that the Commission will enter upon an investigation to make a determination of the revenue requirements of the company, and in view of the fact that the rate proposed to be filed is the same rate, in all particulars, that is being charged to the customers at this time, and in view of the fact that if the Commission should find this rate is not just and reasonable, based upon a new test year, refunds, together with appropriate interest, will be made to the customers, and the cost of said refund will be borne by the owners of the company and not as an operating revenue deduction, we believe it to be in the public interest, and for the maintenance of sound public utility service, to allow Plateau Natural Gas Company to file said rates, to be effective on the 11th day of January, 1963, with the provision that said rates are effective conditionally, subject to undertaking to be furnished by the company, in manner and form to be approved by this Commission, for the refund of any overcharge in excess of a just and reasonable rate, if any, this Commission may, upon due and proper investigation and hearing, determine, said refunds to bear interest at the rate of seven per cent

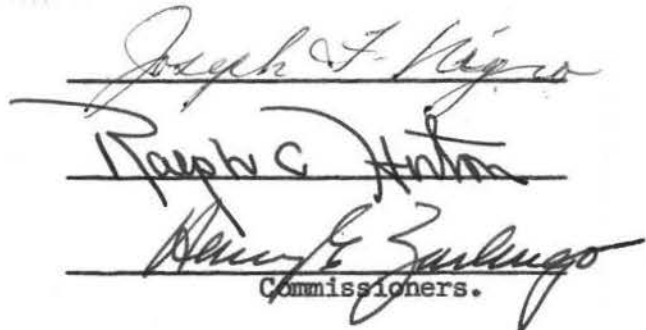
per annum, and all cost of making said refund to be borne by the company, and not to be charged as an operating revenue deduction, and we so find.

ORDER

THE COMMISSION ORDERS:

That Plateau Natural Gas Company, Colorado Springs, Colorado, be, and it hereby is, authorized to file rates herein requested, to become effective January 11, 1963, for all gas sold in billing periods on and after said date, with the provision that said rates are effective conditionally, subject to a surety bond to be approved by the Commission in the sum of \$50,000, or for such other sum as the Commission may from time to time require, for the refund of any overcharge in excess of a just and reasonable rate, if any, this Commission may, upon due and proper investigation and hearing, determine, said refunds to bear interest at the rate of seven per cent per annum, and all cost of making said refund to be borne by the company, and not to be charged as an operating revenue deduction.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

Dated at Denver, Colorado,
this 8th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ALFORD H. SOWDER, 719 SIMPSON,)
FORT MORGAN, COLORADO.)
)
)
-----)

PERMIT NO. M-8882

January 17, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Alford H. Sowder,
Fort Morgan, Colorado
requesting that Permit No. M-8882 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8882, heretofore issued to Alford H. Sowder,
Fort Morgan, Colorado be,
and the same is hereby, declared cancelled effective January 9, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zecher
David L. Bjelland
Raymond C. Johnson
Commissioners

Dated at Denver, Colorado,
this 17th day of January, 19 63.

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ERNEST SILVA, 10442 CARLILE)
STREET, DENVER 33, COLORADO.)
-----)

PERMIT NO. B-5406

January 17, 1962

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-5406 be suspended
for six months from December 26, 1962.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Ernest Silva, Denver 33, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-5406 until June 26, 1963.

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

Henry E. Zachary
Howard S. Billings
Robert C. Norton
Commissioners

Dated at Denver, Colorado,
this 17th day of January, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
EDWARD WEITZEL AND ESTHER WEITZEL,)
DOING BUSINESS AS, "LUND'S STORE",)
TIMNATH, COLORADO.)
-----)

PERMIT NO. M-14778

January 17, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Edward Weitzel and
Esther Weitzel, doing business as, "Lund's Store", Timnath, Colorado
requesting that Permit No. M-14778 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14778, heretofore issued to Edward Weitzel and Esther
Weitzel, doing business as, "Lund's Store", Timnath, Colorado be,
and the same is hereby, declared cancelled effective December 17, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zaslavsky
Edward S. Bjelland
Raymond C. Hinton
Commissioners

Dated at Denver, Colorado,
this 17th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LAWRENCE J. GILL, 2259 GRAY, DENVER)
15, COLORADO.)
-----)

PERMIT NO. M-6962

January 17, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Lawrence J. Gill,
Denver 15, Colorado
requesting that Permit No. M-6962 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6962, heretofore issued to Lawrence J. Gill,
Denver 15, Colorado be,
and the same is hereby, declared cancelled effective January 3, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaslavsky
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 17th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

NOBLE C. GINTHER, DOING BUSINESS AS,)
"N. C. GINTHER GASOLINE PLANTS", 506)
BANK OF THE SOUTHWEST BUILDING,)
HOUSTON, TEXAS.)

PERMIT NO. M-9357

January 17, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Noble C. Ginther, doing
business as, "N. C. Ginther Gasoline Plants", Houston, Texas
requesting that Permit No. M-9357 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9357, heretofore issued to Noble C. Ginther, doing
business as, "N. C. Ginther Gasoline Plants", Houston, Texas be,
and the same is hereby, declared cancelled effective July 31, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Jackson
Harold L. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 17th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MOREY ZELINGER AND FREDA ZELINGER,)
DOING BUSINESS AS, "FURNITURE WARE-)
HOUSE", 1415 WEWATTA STREET, DENVER)
2, COLORADO.)

PERMIT NO. M-8724

January 17, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Morey Zelinger and
Freda Zelinger, dba "Furniture Warehouse", Denver 2, Colorado
requesting that Permit No. M-8724 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8724, heretofore issued to Morey Zelinger and Freda
Zelinger, dba "Furniture Warehouse", Denver 2, Colorado be,
and the same is hereby, declared cancelled effective January 8, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zelinger
Harold S. Bjelland
Ralph Commissioners

Dated at Denver, Colorado,

this 17th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SYLVAN GRAY AND B. F. SCHOENEMAN,)
DOING BUSINESS AS, "GUNNISON RIVER)
TIMBER COMPANY", P.O. BOX 796,)
MONTROSE, COLORADO.)
-----)

PERMIT NO. M-13484

January 17, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Sylvan Gray and B. F. Schoeneman, dba "Gunnison River Timber Company", Montrose, Colorado requesting that Permit No. M-13484 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13484, heretofore issued to Sylvan Gray and B. F. Schoeneman, dba "Gunnison River Timber Company", Montrose, Colorado be, and the same is hereby, declared cancelled effective January 1, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zeelings
Howard S. Bjelland
Ralph C. Gordon
Commissioners

Dated at Denver, Colorado,

this 17th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

JAMES F. BRADLEY AND L. C. BRADLEY,
DOING BUSINESS AS, "BRADLEY LUMBER
COMPANY", P. O. BOX 151, LA PORTE,
COLORADO.

PERMIT NO. M-243

January 17, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from James F. Bradley and L. C. Bradley, dba "Bradley Lumber Company", La Porte, Colorado

requesting that Permit No. M-243 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-243, heretofore issued to James F. Bradley and L. C. Bradley, dba "Bradley Lumber Company", La Porte, Colorado be,
and the same is hereby, declared cancelled effective December 26, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zeckinger
Howard S. Bjelland
Ralph C. Johnson
Commissioners

Dated at Denver, Colorado,

this 17th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CONTINENTAL DISTRIBUTING CORPORATION,)
2541 18TH STREET, DENVER 11, COLORADO)
)
)
-----)

PERMIT NO. M-4290

January 17, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Continental Distributin
Corporation, Denver 11, Colorado

requesting that Permit No. M-4290 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4290, heretofore issued to Continental Distributing
Corporation, Denver 11, Colorado be,
and the same is hereby, declared cancelled effective January 1, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. G. G. G.
James L. G. G.
Robert C. G. G.
Commissioners

Dated at Denver, Colorado,

this 17th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
A. BRUGGEMAN, HOSKINS, NEBRASKA, FOR
AUTHORITY TO TRANSFER INTERSTATE
OPERATING RIGHTS TO BRUGGEMAN TRANS-
PORTATION COMPANY, A CORPORATION,
HOSKINS, NEBRASKA.

PUC NO. 2454-I-Transfer

January 8, 1963

S T A T E M E N T

By the Commission:

Heretofore, A. Bruggeman, Hoskins, Nebraska, was granted a certificate of public convenience and necessity (PUC No. 2454-I), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

freight, 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.

Said certificate-holder is now desirous of transferring said PUC No. 2454-I to Bruggeman Transportation Company, a corporation, Hoskins, Nebraska.

Inasmuch as 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 A. Bruggeman, Hoskins, Nebraska, be, and he hereby is,

authorized to transfer all right, title, and interest in and to PUC No. 2454-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Bruggeman Transportation Company, a corporation, Hoskins, Nebraska, subject to payment of outstanding indebtedness against said certificate, 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 14th day of January, 1963.

8
mls

original

(Decision No. 59933)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
MAHLON E. SAUNDERS, 1003 NORTH)
18TH STREET, COLORADO SPRINGS,)
COLORADO.)

PERMIT NO. B-4113

January 14, 1963

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above-styled permit-holder, requesting permission to do business under the trade name and style, "M. E. Saunders Construction Company," in the conduct of operations under said Permit B-4113.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the Order following.

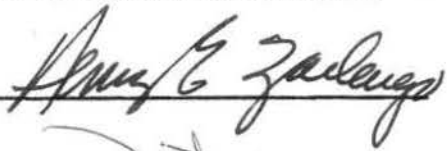
O R D E R

THE COMMISSION ORDERS:

That Mahlon E. Saunders, Colorado Springs, Colorado, be, and he hereby is, authorized to do business under the trade name and style "M. E. Saunders Construction Company," in the conduct of operations under Permit No. B-4113.

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 14th day of January, 1963.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JOHN V. CLARKE, ANNA MAUDE RAND,)
AND GORDON GUTH, CO-PARTNERS, DO-)
ING BUSINESS AS "GLENWOOD DISTRI-)
BUTING COMPANY," GLENWOOD SPRINGS,)
COLORADO.)

PUC NO. 3882-I

January 14, 1963

S T A T E M E N T

By the Commission:

Heretofore, the Commission entered its Decision No. 49421, of date January 21, 1958, authorizing transfer of PUC No. 3882-I to the above-styled certificate-holders.

The Commission is now advised that "Anna Maude Rand" has now become "Anna Maude Neil," and request is made that the records of the Commission be changed so to show.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the Secretary of the Commission is hereby directed to change the records of the Commission to show PUC No. 3882-I to be owned and operated by:

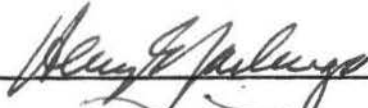
"John V. Clarke, Anna Maude Neil, and
Gordon Guth, doing business as
'Glenwood Distributing Company,'"

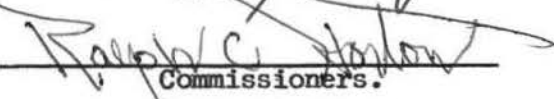
in lieu of:

"John V. Clarke, Anna Maude Rand, and
Gordon Guth, doing business as
'Glenwood Distributing Company.'"

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 14th day of January, 1963.

mls

original

(Decision No. 59935)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
WAYNE CAMPBELL, RURAL ROUTE 2,)
BOX 154, LA JUNTA, COLORADO.)

PERMIT NO. B-5859

January 14, 1963

S T A T E M E N T

By the Commission:

On December 3, 1962, the Commission entered its Decision No. 59738, authorizing transfer of Permit B-5859 to Wayne Campbell, La Junta, Colorado.

The Commission is now in receipt of a communication from said Wayne Campbell, requesting a written waiver from the Commission in lieu of filing a bond covering payment of C.O.D. collections to shippers, in operations under said Permit No. B-5859.

Rule 25 (a) of Rules and Regulations Governing Private Carriers by Motor Vehicle, effective June 1, 1960, provides that:

"No Private Carrier shall accept any C.O.D. shipments or otherwise collect money from any consignee to be paid to the consignor, unless such carrier shall have on file with the Commission cash or a Surety Bond in an amount not less than \$2,000, in such form as the Commission may prescribe, conditioned upon the true and prompt payment of any such C.O.D. or other collections by the carrier to the consignor. Said Surety Bond shall authorize the Commission summarily to apply any part or all of the amount thereof to the payment of any C.O.D. or other collection account owed by the carrier to any consignor, which the carrier has not paid within ten (10) days after the receipt thereof."

Inasmuch as the financial statement of applicant on file with the Commission is satisfactory,

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.


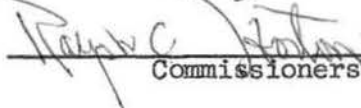
O R D E R

THE COMMISSION ORDERS:

That Wayne Campbell, La Junta, Colorado, be, and he hereby is, granted a written waiver of the provisions of Section (a) of Rule 25 of Rules and Regulations Governing Private Carriers by Motor Vehicle, and shall not be required to file with this Commission cash or surety bond referred to in said Rule, in operations under Permit No. B-5859.

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 14th day of January, 1963.

mls

original

(Decision No. 59936)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
BESSEMER BUS CORPORATION, 515)	PUC Nos. <u>112</u>
SOUTH CASCADE AVENUE, COLORADO)	<u>213</u>
SPRINGS, COLORADO.)	<u>1642</u>

January 15, 1963

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above-styled certificate-holder, requesting authorit to do business under the trade name and style, "American Sightseeing of Colorado Springs," in the conduct of operations under PUC No. 112, PUC No. 213, and PUC No. 1642.

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 directed to change the records of the Commission to show PUC No. 112, PUC No. 213, and PUC No. 1642 to be owned by:

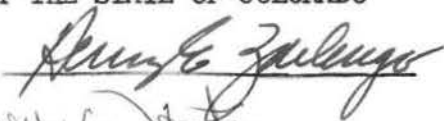
"Bessemer Bus Corporation, doing
business as 'American Sightseeing
of Colorado Springs,'"

in lieu of:

"Bessemer Bus Corporation."

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 15th day of January, 1963.
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LEE TORTESSI AND ANTHONY TORTESSI,)
DOING BUSINESS AS "LEE TORTESSI &)
SON," 1024 GUNNISON, PUEBLO, COLO-)
RADO, FOR AUTHORITY TO TRANSFER IN-)
TERSTATE OPERATING RIGHTS TO ANTHONY)
TORTESSI, DOING BUSINESS AS "TORTESSI)
PRODUCE," 1024 GUNNISON, PUEBLO,)
COLORADO.)

PUC No. 3924-I-Transfer

January 15, 1963

S T A T E M E N T

By the Commission:

Heretofore, Lee Tortessi and Anthony Tortessi, doing business as "Lee Tortessi & Son," Pueblo, Colorado, were granted a certificate of public convenience and necessity (PUC No. 3924-I), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

freight, 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."

Said certificate-holders now seek authority to transfer said PUC No. 3924-I to Anthony Tortessi, doing business as "Tortessi Produce," said Lee Tortessi being desirous of withdrawing from said partnership.

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

F I N D I N G S

THE COMMISSION FINDS:

That 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 Lee Tortessi and Anthony Tortessi, doing business as "Lee Tortessi & Son," Pueblo, Colorado, be, and they hereby are authorized to transfer all right, title, and interest in and to PUC No. 3924-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Anthony Tortessi, doing business as "Tortessi Produce," Pueblo, Colorado, said Lee Tortessi being hereby authorized to withdraw from said partnership.

That transfer of operating rights herein authorized is subject to payment of outstanding indebtedness against said certificate, 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 15th day of January, 1963.

mls

original

(Decision No. 59938)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BURT HUGHES AND ANN HACKNEY, SOLE)
HEIRS OF JAMES HACKNEY, DECEASED,)
DOING BUSINESS AS "B & J TRIANGLE)
EXPRESS," 2005 WELTON STREET, DEN-)
VER, COLORADO, FOR AUTHORITY TO)
TRANSFER PUC NO. 3510 TO BURT HUGHES,)
DOING BUSINESS AS "B & J TRIANGLE)
EXPRESS," 2005 WELTON STREET, DENVER,)
COLORADO.)

APPLICATION NO. 19257-Transfer
SUPPLEMENTAL ORDER

January 15, 1963

Appearances: Lucius E. Woods, Esq., Denver,
Colorado, for Applicants.

S T A T E M E N T

By the Commission:

By Decision No. 59191, of date September 4, 1962, entered by the Commission in the above-styled application, Burt Hughes and Ann Hackney, sole heirs of James Hackney, Deceased, doing business as "B & J Triangle Express," Denver, Colorado, were authorized to transfer all right, title, and interest in and to PUC No. 3510 to Burt Hughes, doing business as "B & J Triangle Express," Denver, Colorado.

The requirements which are a condition precedent to transfer of said certificate upon our records were never complied with, viz., Acceptance of Transfer and Certificate of Insurance have not been filed by transferee herein. Therefore, the records of the Commission show that said operating rights are the property of transferors herein.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 59191, of date September 4, 1962, entered

by the Commission in Application No. 19257-Transfer, should be set aside, and the records of the Commission show that transferors herein are the owners of said PUC No. 3510.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 59191, of date September 4, 1962, entered by the Commission in Application No. 19257-Transfer, authorizing transfer of PUC No. 3510 from Burt Hughes and Ann Hackney, sole heirs of James Hackney, Deceased, doing business as "B & J Triangle Express," Denver, Colorado, to Burt Hughes, doing business as "B & J Triangle Express," Denver, Colorado, be, and the same hereby is, vacated, set aside, and held for naught, and the Secretary of the Commission is hereby directed to change the records of this Commission to show that said Burt Hughes and Ann Hackney, sole heirs of James Hackney, Deceased, doing business as "B & J Triangle Express," Denver, Colorado, are the owners of said PUC No. 3510.

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 15th day of September, 1963.

mls

original

(Decision No. 59939)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
R. W. JONES AND W. A. JONES, CO-)
PARTNERS, DOING BUSINESS AS "R. W.)
JONES TRUCKING COMPANY," BOX 291,)
VERNAL, UTAH, FOR AUTHORITY TO)
TRANSFER PUC NO. 1649 AND PUC NO.)
1649-I TO R. W. JONES TRUCKING COM-)
PANY, A UTAH CORPORATION, BOX 291,)
VERNAL, UTAH.)

APPLICATION NO. 18773-Transfer
SUPPLEMENTAL ORDER

January 15, 1963

Appearances: R. W. Jones, Vernal, Utah,
for Applicants.

S T A T E M E N T

By the Commission:

By Decision No. 57550, of date November 16, 1961, entered by the Commission in Application No. 18773-Transfer, R. W. Jones and W. A. Jones, co-partners, doing business as "R. W. Jones Trucking Company," Vernal, Utah, were authorized to transfer PUC No. 1649 and PUC No. 1649-I to R. W. Jones Trucking Company, a Utah Corporation, Vernal, Utah.

The requirements which are a condition precedent to transfer of said certificates upon our records were never complied with, viz., Certificates of Insurance have not been filed by transferee herein. Therefore, the records of the Commission show that said operating rights are the property of transferors herein.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 57550, of date November 16, 1961, entered by the Commission in Application No. 18773-Transfer, should be set

aside, and the records of the Commission show that transferors herein are the owners of said PUC No. 1649 and PUC No. 1649-I.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 57550, of date November 16, 1961, entered by the Commission in Application No. 18773-Transfer, authorizing transfer of PUC No. 1649 and PUC No. 1649-I from R. W. Jones and W. A. Jones, co-partners, doing business as "R. W. Jones Trucking Company," Vernal, Utah, to R. W. Jones Trucking Company, a Utah Corporation, Vernal, Utah, be, and the same hereby is, vacated, set aside, and held for naught, and the Secretary of the Commission is hereby directed to change the records of this Commission to show that said R. Jones and W. A. Jones, co-partners, doing business as "R. W. Jones Trucking Company," Vernal, Utah, are the owners of said PUC No. 1649 and PUC No. 1649-I.

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 15th day of January, 1963.

mls

original

(Decision No. 59940)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
COLORADO UTE ELECTRIC ASSOCIATION,)
INC., P. O. BOX 178, MONTROSE, COLO-)
RADO, FOR AN ORDER AUTHORIZING IT TO)
EXECUTE A NOTE IN FAVOR OF THE)
UNITED STATES OF AMERICA.)

APPLICATION NO. 19477-Securities
SUPPLEMENTAL ORDER

January 14, 1963

Appearances: Raphael J. Moses, Esq., Boulder,
Colorado, and
J. A. Hughes, Esq., Montrose,
Colorado, for Applicant;
John R. Barry, Esq., Denver,
Colorado, and
Sidney G. Baucom, Esq., Salt
Lake City, Utah, for Protest-
and and Intervenor, Western
Colorado Power Company;
J. M. McNulty, Denver, Colorado,
and
E. R. Thompson, Denver, Colorado,
for the Staff of the Commission.

S T A T E M E N T

By the Commission:

On December 21, 1962, the Commission entered its Decision No.
59840 in the above-styled application.

On December 31, 1962, "Petition for Re-Hearing" was filed
herein, by Sidney G. Baucom and Barry and Boyle, Attorneys, for and
on behalf of Western Colorado Power Company.

The Commission has reviewed the evidence adduced at the hear-
ing on said application, and has carefully considered Petition for Re-
Hearing filed herein, and each and every allegation thereof.

F I N D I N G S

THE COMMISSION FINDS:

That no error was committed in the entry of its said Deci-

sion No. 59840; that no useful purpose would be served by granting rehearing herein; that said Petition for Rehearing should be denied.

O R D E R

THE COMMISSION ORDERS:

That Petition for Rehearing filed herein by Western Colorado Power Company, by its Attorneys, Sidney G. Baucom and Barry and Boyle, on December 31, 1962, 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





Commissioners.

Dated at Denver, Colorado,
this 14th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASED HOURLY CHARGES - HOUSEHOLD
GOODS - TRANSPORTED A DISTANCE OF 30
MILES OR LESS; ALSO RATES AND CHARGES
ON GENERAL COMMODITIES, INCLUDING HOUSE-
HOLD GOODS - BETWEEN POINTS WITHIN THE
CITY OF COLORADO SPRINGS, COLORADO

INVESTIGATION AND SUSPENSION
DOCKET NO. 485

January 11, 1963

Appearances: Lawrence M. Cowen and Clarence H. Jonson
for Cowen Transfer and Storage, Inc.,
3110 Stone Avenue, Colorado Springs,
Colorado.
A. J. Tait and S. J. Philippon for the
Staff of the Commission, State Services
Building, Denver, Colorado

S T A T E M E N T

BY THE COMMISSION:

By tariff schedules filed to become effective on March 22, 1962, the respondent, Cowen Transfer and Storage, Inc. of Colorado Springs, Colorado through its agent, Colorado Motor Carriers' Association proposed to establish, by publication, on 3rd revised page 63, Item 1160 and 4th revised page 65-A, Item 1230, to the Association's tariff No. 14, Colorado P.U.C. No. 13, and in supplement No. 5 to Cowen Transfer and Storage, Inc. local cartage tariff No. 1, Colorado P.U.C. No. 1, increased hourly charges for the handling and transportation of household goods transported a distance of 30 miles or less, and general commodities including household goods transported within the city limits of Colorado Springs, Colorado as follows:

Tariff No. 14, Colorado PUC No. 13

Item 1160	<u>Labor charges, per hour</u>	
	<u>Present</u>	<u>Proposed</u>
	\$2.50	\$4.50
	<u>Overtime Labor Charges, per hour</u>	
	<u>Present</u>	<u>Proposed</u>
	\$3.75	\$6.75

Item 1230

Hourly Charge

Shipments transported 30 miles or less

Present

Proposed

\$ 8.00

\$10.50

Tariff No. 1, Colo. PUC No. 1, Supplement 5, Page 2

Hourly Charges

Present

Proposed

Van and 2 men	\$ 9.50	\$10.50
Stake Truck and 2 men	9.00	10.50
Tractor & Semi-Trailer van & 2 men	10.00	10.50
Pick-up truck and 2 men	8.00	8.50
Tractor and flatbed semi-trailer and 2 men	13.50	Eliminate
Tractor and flatbed semi-trailer and 1 man	9.50	10.50
"A" Frame Truck and 1 man	8.50	9.00
Lift gate truck and 2 men	9.50	10.50
Winch Truck and 1 man	8.50	9.00
Extra Labor per man	4.00	4.50

The proposed increased rates and charges were suspended until July 20, 1962, by our order of March 20, 1962, Decision No. 58244 and further suspended to and including January 20, 1963 by Decision No. 58932 dated July 17, 1962. Hearing was held at Denver, Colorado on April 19, 1962 and the matter taken under advisement.

Mr. C. H. Jonson, a certified public accountant testified generally from three exhibits computed from the books and records of respondent. His exhibit No. 1 compared respondent's transfer income and expenses for the fiscal year ended August 31, 1957 with those for the fiscal year ended August 31, 1961 as follows:

<u>Income:</u>	<u>Fiscal Year Ended</u>				<u>Increase</u>	
	<u>August 31, 1957</u>	<u>August 31, 1961</u>	<u>Amount - % of Total</u>	<u>Amount - % of Total</u>	<u>1961 over 1957</u>	<u>Amount - % of Total</u>
Transfer Income	\$182,788	78.04	\$329,286	76.11	(\$146,498	80.15)*
Warehouse	28,498	12.17	80,152	18.53	\$137,498	75.22
Package Delivery	22,934	9.79	23,219	5.36	51,654	181.25
	<u>\$234,220</u>	<u>100.00</u>	<u>\$432,657</u>	<u>100.00</u>	285	1.24
Direct Transfer					<u>\$198,437</u>	<u>84.72</u>
Costs (a) Total	\$ 22,219	12.15	\$ 52,977	16.09	\$ 30,758	138.43
Administrative Expenses:						
Total	\$ 66,154		\$143,301			
Administrative Expenses - Applicable to transfer						
Income (78.04%)	\$ 51,627	28.24	\$109,066	31.12	\$ 57,439	111.25
Depreciation	\$ 8,726	4.77	\$ 10,296 ^(b)	3.13		

(a) Does not include labor costs

(b) Based on increased equipment costs 1957 to 1962.

* - Corrected - Error in computation.

Respondent's witness Jonson, using the 1961 percentage of income percents of 16.09, 31.12 and 3.13 for direct transfer costs, administrative expense and depreciation, respectively, arrived at the following hourly costs based on the present hourly rates:

	<u>Tariff No. 14</u>	<u>Tariff No. 1</u>
Present Hourly Rate	\$8.00	\$9.50
Direct Transfer Costs 16.09%	\$1.28	\$1.53
Labor Costs, two men	5.06	5.06
Depreciation 3.13%	.25	.30
Administrative Costs 31.12%	<u>2.49</u>	<u>2.95</u>
Total Costs	\$9.08	\$9.84
Net Loss	1.08	0.34

A comparison was made between labor and other costs for past fiscal periods with future labor costs for the years 1962 thru 1964 as follows:

	<u>8-31-57</u>	<u>8-31-61</u>	<u>(c) 1962</u>	<u>(c) 1963</u>	<u>(c) 1964</u>
Drivers and Helpers					
Wages, Per Hour	\$2.10	\$2.45	\$2.53	\$2.61	\$2.68
Union Pension Trust					
contribution - per man hr	.00	.05	.075	.10	.10
Union Health & Welfare per					
month, per employee	.00	11.40	14.75	16.50	?

(c) Contract signed March, 1962.

The president of respondent testified that insofar as his operations were concerned, it was his desire to have uniform hourly charges for the transportation of household goods within the City of Colorado Springs, and points within a thirty-mile radius thereof; that increases in the hourly charges were necessary, following the execution of a new labor contract with the International Brotherhood of Teamsters, Chauffeurs, Warehouseman and Helpers of America, Local Union No. 146, effective in March of 1962.

An exhibit, placed in evidence by the transportation cost analyst of the commission sets out the following:

Comparisons of Revenues, Expenses, Profit, Ratio: Period Ending

	<u>8/31/57</u>	<u>8/31/58</u>	<u>8/31/59</u>	<u>8/31/60</u>	<u>8/31/61</u>
Total Operating Revenues ₪	\$234,221	\$272,177	\$352,442	\$386,947	\$432,862
Total Operating Expenses ₪	207,332	220,214	266,452	302,353	393,988
Net Operating Profit ₪	26,889	51,962	85,990	84,593	38,874
Operating Ratio	88.52%	80.91%	75.60%	78.14%	91.02%
Net Profit for Year ₪	18,046	22,378	22,817	22,200	23,128
Officers Salaries & Bonuses ² ₪	37,315	46,481	61,549	58,785	62,485
% of Officers Salaries to Gross Revenues	15.93%	17.08%	17.46%	15.19%	14.44%

To bring about calendar
Year reporting in 1962:

Period 9/1/61 to 12/31/61

Total operating Revenues ₪	\$139,759
Total Operating expenses ₪	110,259
Net Operating Profit ₪	29,500
Operating Ratio	78.89%
Net Profit for Year ₪	\$ 15,285
Officers Salaries and Bonuses ² ₪	\$ 16,715
% of Officers Salaries to Gross Revenues	11.96%

₪ - In Dollars = Odd cents omitted.

The increases in the hourly rates for the transportation of household goods range from five per cent to over eighty per cent. Respondent's witnesses presented no information as to the amount of the increased revenue nor as to the revenue or expenses that had been derived from the traffic to which the increased hourly rates would be applicable. In view of the very satisfactory operating ratio of respondent and the absence of a specific breakdown of revenues and costs pertaining to the traffic, which must bear the proposed increases, we may not find upon this record, that the increased hourly charges have been justified.

F I N D I N G S

THE COMMISSION FINDS, That:

1. The suspended schedules have not been justified.
2. An order should be entered requiring the cancellation of said schedules and discontinuing this proceeding.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings herein be, and they are hereby, made a part hereof.

2. The respondent is hereby notified and required to cancel, Items 1160 and 1230, 3rd revised page 63 and 4th revised page 65-A, respectively, to Colorado Motor Carriers' Association, Agent, Motor Freight Tariff No. 14, Colorado P.U.C. No. 13 insofar as they pertain to respondent, and further, to cancel supplement No. 5 to respondent's local cartage tariff No. 1, Colorado P.U.C. No. 1, insofar as increased hourly charges appearing on page 2 thereof are concerned, on or before January 19, 1963, upon notice to this Commission and the general public by not less than one days' filing and posting in the manner prescribed by law and the rules and regulations of the Commission, and that the proceeding be discontinued.

3. This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado this
11th day of January, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE LIQUID CORN SYRUP TRANSPORTED)
BETWEEN POINTS IN THE CITY AND)
COUNTY OF DENVER, COLORADO)

INVESTIGATION & SUSPENSION
DOCKET NO. 508

January 11, 1963

S T A T E M E N T

BY THE COMMISSION:

On December 28, 1962, W. T. Cannon, Director of Traffic, Bulk Commodity Division, Pacific Intermountain Express Co., 14th and Clay Streets, Oakland, California, filed 2nd Revised Page 4, to its Motor Freight Tariff No. 3, Colorado P.U.C. No. 3, scheduled to become effective February 2, 1963.

The revised page provides an increase of approximately fifty (50) per cent in the rates for the transportation of Liquid Corn Syrup, in bulk, in tank trucks, from and to Denver, Colorado, Item 60 of Tariff No. 3 reads as follows:

Rates in Cents Per 100 Pounds								
Commodity	From	To	Rates					
			Minimum Weights					
			20M		30M		36M	
			A	B	A	B	A	B
Liquid Corn Syrup, in bulk, in tank vehicles	Denver, Colo.	Denver, Colo.	*20	*26	*17	*20	*15	*18

A - Rates apply when shipper furnishes tank semi-trailer.

B - Rates apply when carrier furnishes equipment.

* denotes - increase.

The increased rates and charges may, if permitted to become effective, result in increases which may be violation of the Public Utilities Law. It is the opinion of the Commission that the operation of the said schedule should be suspended and an investigation instituted upon the Commission's own motion concerning the lawfulness of the rates and charges resulting therefrom.

F I N D I N G S

THE COMMISSION FINDS, That:

Upon its own motion, without formal pleading, the schedule as referred to in the statement herein should be suspended and that it enter upon a hearing concerning the lawfulness thereof.


O R D E R

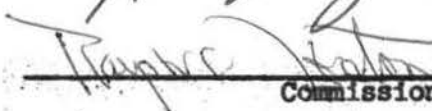
THE COMMISSION ORDERS, That:

1. The Statement and Findings herein be, and they are hereby, made a part hereof.
2. It shall, upon its own motion, enter upon a hearing concerning the lawfulness of the rates and charges resulting from the proposed increases published in Item No. 60, Motor Freight Tariff No. 3, Colorado P.U.C. No. 3, Pacific Intermountain Express Co., appearing on 2nd Revised Page 4, scheduled to become effective February 2, 1963.
3. The operation of said schedule be and is hereby suspended, and the use thereof be deferred to and including June 2, 1963, unless otherwise ordered by the Commission.
4. Neither the schedules hereby suspended nor those sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension or any extension thereof has expired, unless otherwise ordered by the Commission.
5. Seven days prior to the hearing date, respondent shall provide the Secretary of the Commission with copies of any and all exhibits which respondent intends to introduce in evidence in support of its case.
6. A copy of this order be filed with the schedule in the office of the Commission and also be served upon W. T. Cannon, Director of Traffic, Bulk Commodity Division, Pacific Intermountain Express Co., 14th and Clay Streets, Oakland, California.
7. This Investigation and Suspension Docket No. 508 be, and the

same is hereby set for hearing before the Commission on February 7, 1963,
at 2:00 P. M. in the hearing room of the Commission, 532 State Services
Building, 1525 Sherman Street, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners

Dated at Denver, Colorado
this 11th day of January,
1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE METHOD OF DETERMINING DISTANCES)	
TO BE USED IN ASSESSING DISTANCE)	INVESTIGATION & SUSPENSION
RATES, ITEM NO. 80 - SOUTHWESTERN)	<u>DOCKET NO. 509</u>
TRANSPORTATION COMPANY TARIFF NO. 4)	
COLORADO P.U.C. NO. 4. -----)	

January 11, 1963

S T A T E M E N T

BY THE COMMISSION:

On December 14, 1962, Stanley Blunt, President, Southwestern Transportation Company, 816 Water Street, Canon City, Colorado, filed with the Commission a new tariff No. 4, Colorado P.U.C. No. 4, scheduled to become effective January 16, 1963, proposing new rates and provisions for the transportation of perlite and vermiculite, other than crude, between points and places in Fremont County, Colorado, on the one hand, and on the other, points and places in Colorado, and in Fremont County, Colorado. Said tariff provides in Item 80 thereto, a method of computing distances to be used in assessing distance rates, reading as follows:

METHOD OF DETERMINING DISTANCES TO USE IN ASSESSING DISTANCE RATES:

- (1) Where mileages are shown in Rand McNally Road Map via improved roads only, such mileages shall be used to determine the distance or portions of such distance via improved roads.
- (2) For distance from and to points not covered by the map referred to in paragraph (1) of this rule, the actual mileage via the shortest practicable route shall be used, except that the map will be used for such portion of the distance as may be provided thereon or ascertainable therefrom.

EXCEPTIONS

- (3) When shipments move under special permits required by and obtained from a municipal or state regulatory body or commission, which specifies therein the route to be traveled by the motor vehicle, the mileage to be used in determining the rate will be that shown in Rand McNally Road Map via route specified in special permit.

- (4) Where, due to flood conditions, or other conditions beyond the control of the carrier it is impractical to operate the truck over highways forming the shortest distance between origin and destination, the most practical route over which the truck can be moved will be shown in the Bill of Lading and the distance via such route will be used to determine the rate. The Bill of Lading will also show the reason for the route specified therein.

Similar provisions to those appearing in Item 80, exceptions, (4), were suspended upon the Commission's own motion in Investigation and Suspension Docket No. 490, entitled, Re Item 180, Paragraph (4) Method of Computing Distance, Colorado Motor Carriers' Association, Agent, Motor Freight Tariff No. 13, Colorado P.U.C. No. 12. The respondent herein is also one of the respondents in I. & S. Docket No. 490.

This exception, may if permitted to become effective, result in changes which may be in violation of the Public Utilities Law. It is the opinion of the Commission that the operation of said schedule should be suspended and an investigation instituted upon the Commission's own motion concerning the lawfulness of the rates and charges resulting therefrom.

F I N D I N G S

THE COMMISSION FINDS:

That upon its own motion, without formal pleading, the schedule as referred to in the statement herein should be suspended and that it enter upon a hearing concerning the lawfulness thereof.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings be, and they are hereby, made a part hereof.
2. It shall, upon its own motion, enter upon a hearing concerning the lawfulness of the rates resulting from the publication of Item No. 80, exceptions (4), of Southwestern Transportation Company, Motor Freight Tariff No. 4, Colorado P.U.C. No. 4, issued to become effective January 16, 1963.
3. The operation of said schedule shall be suspended and the use of the said schedule shall be deferred 120 days, or until May 16, 1963, unless otherwise ordered by the Commission, and no change shall be made during the said period of suspension.

4. The provisions thereby sought to be altered shall not be changed by any subsequent tariff or schedule until this investigation and suspension proceeding has been disposed of or until the period of suspension or any extension thereof has expired.

5. Seven days prior to the hearing date hereon, respondent shall provide the Secretary of the Commission with copies of any and all exhibits which respondent intends to introduce in evidence in support of its case.

6. A copy of this order shall be filed with said tariff in the office of the Commission and that a copy hereof be forthwith served upon Stanley Blunt, President, Southwestern Transportation Company, 816 Water Street, Canon City, Colorado.

7. This Investigation and Suspension Docket No. 509 be assigned for hearing at a future date to be determined by the Commission, due notice of such date and place of hearing given all interested parties.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners

Dated at Denver, Colorado
this 11th day of January,
1963!
jbw

original

(Decision No. 59944)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
BESSEMER BUS CORPORATION, 515)	<u>PUC NO. 1305</u>
SOUTH CASCADE AVENUE, COLORADO)	<u>PUC NO. 1305-I</u>
SPRINGS, COLORADO.)	

January 15, 1963

S T A T E M E N T

By the Commission:

Request has been made with the Commission that the above-styled certificate-holder be authorized to do business under the trade name and style, "Air Lines Cab Service," in the conduct of operations under PUC No. 1305 and PUC No. 1305-I

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 directed to change the records of the Commission to show PUC No. 1305 and PUC No. 1305-I to be owned and operated by:

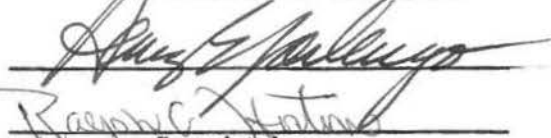
"Bessemer Bus Corporation,
doing business as 'Air Lines
Cab Service,'"

in lieu of:

"Bessemer Bus Corporation.

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 15th day of January, 1963.
mls

original

(Decision No. 59945)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RALPH CORDERO, 360 NORTH MADISON,)
MONTE VISTA, COLORADO, FOR A CLASS)
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 18790-PP
SUPPLEMENTAL ORDER

January 15, 1963

Appearances: Elizabeth Conour, Esq., Del
Norte, Colorado, for Appli-
cant;
Moses and DeSouchet, Esqs.,
Alamosa, Colorado, for
Jones Transfer Company.

S T A T E M E N T

By the Commission:

On November 17, 1961, the Commission entered its Decision No. 57559 in the above-styled application, granting to applicant herein the right to operate as a Class "B" private carrier by motor vehicle for hire.

On September 26, 1962, the Commission entered its Decision No. 59338, revoking operating rights granted to applicant herein by said Decision No. 57559, of date November 17, 1961, for failure of applicant to file necessary tariff.

It now appears that said tariff of applicant herein was then on file with the Commission, but had not been placed in his file.

Reinstatement of operating rights granted by Decision No. 57559 has been requested.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 59338, of date September 26, 1962, be, and the same hereby is, set aside, vacated, and held for naught, as of said September 26, 1962, and operating rights heretofore granted to the above-styled applicant by Decision No. 57559, of date November 17, 1961, be, and hereby are, restored to active status, as of said date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado,
this 15th day of January, 1963.

mls

original

(Decision No. 59946)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
NORMAN W. COYLE, 1070 HANOVER,)
DENVER, COLORADO.)

PUC NO. 3317

January 15, 1963

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Norman W. Coyle, owner of PUC No. 3317, requesting authority to do business under the trade name and style, "Capitol City Disposal," in operations under PUC No. 3317.

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 directed to change the records of the Commission to show PUC No. 3317 to be owned and operated by:

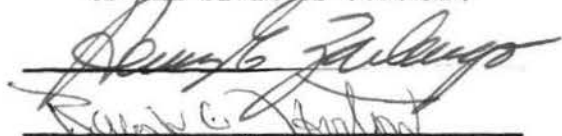
"Norman W. Coyle, doing business
as 'Capitol City Disposal,'"

in lieu of:

"Norman W. Coyle."

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 15th day of January, 1963.
mls

original

(Decision No. 59947)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
A. B. MOORE, DOING BUSINESS AS
"TRINIDAD CLAY COMPANY," P. O. BOX
156, TRINIDAD, COLORADO, FOR A CLASS
"B" PERMIT TO OPERATE AS A PRIVATE
CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 18260-PP
SUPPLEMENTAL ORDER

January 15, 1963

S T A T E M E N T

By the Commission:

On July 10, 1962, the Commission entered its Decision No. 58897 in the above-styled application, granting to applicant herein the right to operate as a Class "B" private carrier by motor vehicle for hire.

Said applicant has failed to comply with requirements as set forth in said Decision No. 58897, viz., has failed to file Certificate of Insurance, List of Customers, and Tariff. Therefore,

F I N D I N G S

THE COMMISSION FINDS:

That operating rights granted to applicant herein by Decision No. 58897, of date July 10, 1962, should be revoked, for failure of said applicant to comply with requirements of said Decision No. 58897.

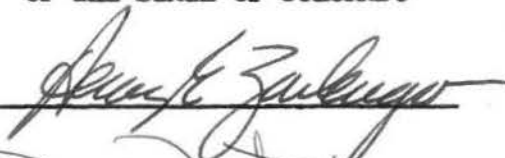
O R D E R


THE COMMISSION ORDERS:

That operating rights granted to A. B. Moore, doing business as "Trinidad Clay Company," Trinidad, Colorado, by Decision No. 58897, of date July 10, 1962, in Application No. 18260-PP, be, and the same hereby are, revoked, for failure of applicant herein to comply with requirements set forth in said Decision No. 58897.

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 15th day of January, 1963.

mls

original

(Decision No. 59948)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
KANSAS-COLORADO UTILITIES, INC., 20)
BOULDER CRESCENT, COLORADO SPRINGS,)
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY AU-)
THORIZING THE CONSTRUCTION OF A)
NATURAL GAS SYSTEM FOR THE TRANSMIS-)
SION AND SALE OF NATURAL GAS IN)
LINCOLN COUNTY, COLORADO.)

APPLICATION NO. 19463

January 16, 1963

Appearances: John A. Phillips, Esq., Colo-
rado Springs, Colorado, for
Applicant;
E. R. Thompson, Denver, Colo-
rado, and
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 Applicant, Kansas-Colorado Utilities, Inc., filed with this Commission its application requesting a certificate of public convenience and necessity authorizing it to construct, operate and maintain a natural gas system for the transmission and sale of natural gas in Lincoln County, Colorado.

The application was set for hearing on December 18, 1962, by notice to all interested parties, dated December 10, 1962, in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and was there heard by the Commission, and at the close of the hearing, taken under advisement. No one appeared at the hearing in opposition to the granting of the application.

Applicant (herein called "Kansas-Colorado"), is a corporation organized and existing under and by virtue of the laws of the State of

Kansas, with its principal place of business in the City of Colorado Springs, Colorado, and is authorized to do and is doing business in the State of Colorado. Pursuant to its certificate of incorporation, Applicant is authorized and empowered, among other things, to purchase, transport, sell and distribute natural gas, and is a natural gas company engaged principally in the purchase, production, transmission, distribution and sale of natural gas at the town borders of various cities, towns and communities in the States of Colorado and Kansas.

A certified copy of Applicant's Articles of Incorporation, together with all amendments thereto, has heretofore been filed with this Commission in Application No. 18608.

Applicant is a wholly owned subsidiary of Plateau Natural Gas Company (herein called "Plateau").

Applicant proposes to construct, operate and maintain a natural gas transmission line between its existing gas transmission line in Lincoln County, Colorado, and the Town of Genoa, Lincoln County, Colorado, to make gas available for resale in the Town of Genoa. Applicant's Exhibit "A" shows the general route and size of the proposed transmission line.

Applicant proposes to sell gas for resale to Plateau at the town border at Genoa.

Applicant has secured a supply of natural gas from Colorado Interstate Gas Company (CIG) to render the proposed service. Exhibit "E" is the Service Agreement between Applicant and CIG. CIG has heretofore received authority from the Federal Power Commission to make the sales of natural gas to Applicant.

Mr. Ralph D. Jacobs, Vice President of Applicant, testified as to the markets for natural gas in the area sought to be served by Applicant, and that there is a present need and demand for natural gas service in this area and that public convenience and necessity re-

quired the granting of a certificate.

Applicant proposes to construct facilities costing approximately \$31,891.00, as more fully shown in Exhibit "B" introduced at the hearing.

Applicant's feasibility studies were introduced as Exhibit "F", and these studies show the project to be economically feasible. Applicant's balance sheet and profit and loss statement, both as of December 31, 1961, were introduced as Exhibits "C" and "D" respectively. The testimony of Mr. Jacobs shows that Applicant will finance the construction with funds internally generated.

Rates and other terms and conditions of service will be those presently on file with this Commission by Applicant.

There is no other utility engaged in the business of transporting and selling natural gas in this area, and from all the evidence and testimony, it appears that natural gas is in demand in this area and would be an economic benefit as well as a convenience to the general public involved.

F I N D I N G S

THE COMMISSION FINDS:

The above Statement should be made a part hereof by reference.

The Applicant is a public utility subject to the jurisdiction of this Commission insofar as the subject matter of this application is concerned, and the Commission has jurisdiction of the subject matter involved.

That the Commission is fully advised in the premises.

That the public interest and necessity required the hearing to be held on December 18, 1962, on notice of eight days, for the reason that the companion Application of Plateau, being Application No. 19462, was set for hearing on December 18, 1962.

That the public convenience and necessity requires and will require the construction, operation and maintenance of a natural gas

transmission line between Applicant's existing gas transmission line in Lincoln County, Colorado, and the Town of Genoa, Lincoln County, Colorado, as proposed by Applicant, to make natural gas available for resale in the Town of Genoa, Colorado.

Applicant is financially prepared to construct the facilities proposed herein and to continue their operation thereafter.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require and will continue to require the construction, operation, maintenance and extension from time to time of a natural gas transmission line between Applicant's existing gas transmission line in Lincoln County, Colorado, and the Town of Genoa, Lincoln County, Colorado, to make natural gas available for resale in the Town of Genoa, Colorado, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

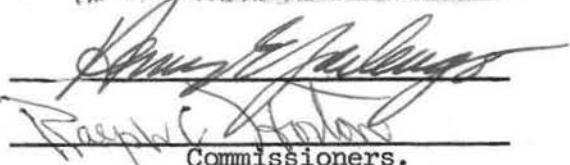
Applicant shall supply natural gas under its Tariff, Colorado P.U.C. No. 1, and shall continue the supply under said Tariff until the same may be changed according to law or the rules and regulations of this Commission.

That Applicant shall maintain its books and accounts in accordance with the Uniform System of Accounts as prescribed by this Commission and shall keep its practices in accordance with the Rules Regulating the Service of Gas and Electric Utilities as adopted by this Commission and as the same may be changed according to law.

That this Commission shall retain jurisdiction of this matter to make such further Order or Orders as may be deemed necessary.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

Dated at Denver, Colorado,
this 16th day of January, 1963.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
PLATEAU NATURAL GAS COMPANY, 20
BOULDER CRESCENT, COLORADO SPRINGS,
COLORADO, FOR CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY AUTHORIZ-
ING THE CONSTRUCTION OF NATURAL GAS
SYSTEMS FOR THE TRANSMISSION, DIS-
TRIBUTION, AND SALE OF NATURAL GAS
IN THE TOWN OF GENOA, LINCOLN COUNTY,
COLORADO, AND IN AREAS ADJACENT
THERETO.

APPLICATION NO. 19462

January 16, 1963

Appearances: John A. Phillips, Esq., Colo-
rado Springs, Colorado, for
Applicant;
E. R. Thompson, Denver, Colo-
rado, and
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 Applicant, Plateau Natural Gas Company, filed with this Commission its application requesting a certificate of public convenience and necessity authorizing it to construct, operate and maintain natural gas systems for the transmission, distribution and sale of natural gas in the Town of Genoa, Lincoln County, Colorado, and areas adjacent thereto.

The application was set for hearing after due notice to all interested parties on December 18, 1962, in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and was there heard by the Commission, and at the close of the hearing, taken under advisement. No one appeared at the hearing in opposition to the granting of the application.

Applicant (herein called "Plateau") is a corporation organized and existing under and by virtue of the laws of the State of Colorado, with its principal place of business in the City of Colorado Springs, Colorado, and as such is authorized to do and is doing business in the State of Colorado. Pursuant to its certificate of incorporation, Applicant is authorized and empowered, among other things, to purchase, transport, sell and distribute natural gas, and is a public utility operating company engaged principally in the purchase, transmission, distribution and sale of natural gas in various cities, towns and communities in the States of Colorado and Kansas.

A certified copy of Applicant's Articles of Incorporation, together with all amendments thereto, has heretofore been filed with this Commission.

Applicant's subsidiary, Kansas-Colorado Utilities, Inc., (herein called "Kansas-Colorado"), in Application No. 19463, seeks authority to construct, operate and maintain a natural gas transmission line between its existing gas transmission line in Lincoln County, Colorado, and the Town of Genoa, Lincoln County, Colorado, to make natural gas available for resale in the Town of Genoa.

Applicant seeks authority to construct, operate and maintain natural gas distribution systems in the Town of Genoa, in Lincoln County, Colorado, and in areas adjacent thereto and to exercise the gas franchise rights granted by the Town of Genoa.

The distribution systems will connect to Kansas-Colorado's proposed gas transmission line, described above.

Applicant showed that on August 7, 1962, the Board of Trustees of the Town of Genoa duly passed and adopted Ordinance No. 35 of the Town of Genoa:

AN ORDINANCE GRANTING A FRANCHISE BY THE TOWN OF GENOA, COLORADO, TO PLATEAU NATURAL GAS COMPANY, ITS SUCCESSORS AND ASSIGNS, TO LOCATE, BUILD, CONSTRUCT, ACQUIRE, PURCHASE, EXTEND, MAINTAIN AND OPERATE INTO, WITHIN AND THROUGH THE TOWN OF GENOA, LINCOLN COUNTY, COLORADO, A PLANT OR PLANTS, WORKS, AND SYSTEM OR SYSTEMS, FOR THE PURCHASE, MANUFACTURE, TRANSMISSION, AND DISTRIBUTION OF GAS, WHETHER NATURAL, ARTIFICIAL OR MIXED, OR OTHERWISE, AND TO FURNISH, SELL AND DISTRIBUTE SUCH GAS TO THE TOWN OF GENOA, AND THE INHABITANTS THEREOF, FOR HEATING, COOKING, OR OTHER PURPOSES BY MEANS OF PIPES, MAINS, CONDUITS, SERVICES AND OTHER NECESSARY STRUCTURES AND APPLIANCES THERETO APPERTAINING, OVER, UNDER, ALONG, ACROSS AND THROUGH ANY AND ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES, AND OTHER PUBLIC WAYS AND PLACES IN SAID TOWN OF GENOA, AND FIXING THE TERMS AND CONDITIONS THEREOF.

The term is 25 years. Franchise tax provisions are contained in the Ordinance, which franchise charges will be surcharged as is the Company's practice in other communities where franchise payments are made. Exhibit "G" is a copy of the franchise ordinance.

Applicant has secured a supply of natural gas from Kansas-Colorado to render the proposed service. A Service Agreement with respect to the gas supply was introduced at the hearing as Exhibit "D". Kansas-Colorado will, in turn, receive its supply of natural gas from Colorado Interstate Gas Company (herein called "CIG"). CIG has received the necessary authority from the Federal Power Commission to make the sales of natural gas to Kansas-Colorado.

Mr. Ralph D. Jacobs, Vice-President of Applicant, testified as to the markets for natural gas in the area sought to be served by Applicant. The market data is shown in Exhibit "E" introduced at the hearing. Mr. Jacobs testified that the Town of Genoa is not now served with natural gas, and that there is a present need and demand for natural gas service in this area and that public convenience and necessity required the granting of a certificate.

Applicant proposes to construct facilities costing approximately \$16,513.00 by the end of 1965, as more fully shown in Exhibit "A" introduced at the hearing.

Applicant's feasibility studies were introduced as Exhibit "F" and these studies show the project to be economically feasible. Applicant's balance sheet and profit and loss statement, both as of June 30, 1962, were introduced as Exhibits "B" and "C", respectively. The testimony of Mr. Jacobs shows that Applicant will finance the construction with funds internally generated.

Applicant proposes to render gas service under its rates presently effective in the Burlington, Colorado, area.

There is no other utility engaged in the business of selling and distributing natural gas in this area, and from all the evidence and testimony, it appears that natural gas is in demand in this area and would be an economic benefit as well as a convenience to the general public involved.

F I N D I N G S

THE COMMISSION FINDS:

The above Statement should be made a part hereof by reference.

The Applicant is a public utility subject to the jurisdiction of this Commission, and the Commission has jurisdiction of the subject matter involved.

That the Commission is fully advised in the premises.

That the public convenience and necessity requires and will require the construction, operation and maintenance of natural gas distribution systems in the Town of Genoa, Colorado, and in areas adjacent thereto, as proposed by Applicant, and the sale and distribution at retail of natural gas to anticipated gas customers in said Town, and the areas adjacent thereto.

That the public convenience and necessity requires and will require the exercise by Applicant of the gas franchise rights granted in and by Ordinance No. 35 of the Town of Genoa, for the purchase, manufacture, transmission, distribution and sale of gas, either natural, artificial or mixed, by Applicant in said Town.

Plateau is financially prepared to construct the facilities proposed herein and to continue their operation thereafter.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity requires and will continue to require the construction, operation, maintenance and extension from time to time of natural gas distribution systems in the Town of Genoa, Colorado, and in areas adjacent thereto, as proposed by Applicant, and the sale and distribution at retail of natural gas to anticipated gas customers in said Town, and in areas adjacent thereto, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That public convenience and necessity requires and will require the exercise by Plateau of the franchise rights granted in and by Ordinance No. 35 of the Town of Genoa, Colorado, dated August 7, 1962, Exhibit "G" herein, for the purchase, manufacture, transmission, distribution and sale of gas, either natural, artificial or mixed, by Plateau in said Town and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.


That Applicant shall supply gas under its rates presently in effect in the Burlington, Colorado, area and amend its tariffs to include the Town of Genoa and the area adjacent thereto, and to continue the supply of gas under said rates until the same may be changed according to law or the rules and regulations of this Commission.


That Applicant shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts as prescribed by this Commission and shall continue to keep its practices in accordance with the Rules Regulating the Service of Gas and Electric Utilities as adopted by this Commission and as the same may be changed according to law.

That this Commission shall retain jurisdiction of this matter to make such further Order or Orders as may be deemed necessary.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners.

Dated at Denver, Colorado,
this 16th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
J. O. HOFF, 413 WEST 6TH STREET,)
PUEBLO, COLORADO.)
-----)

PERMIT NO. B-4883

January 24, 1963
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-4883 be further suspended for one year from January 21, 1963.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That J. O. Hoff, Pueblo, Colorado

be, and is hereby, authorized to further suspend his operations under Permit No. B-4883 until January 21, 1964.

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

Henry E. Zuckerman
Harold S. Bjelland
Reuben C. Norton
Commissioners

Dated at Denver, Colorado,
this 24th day of January, 1963.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
J. CLEVELAND GENTRY, P. O. BOX)
514, MEEKER, COLORADO.)
-----)

PERMIT NO. M-15944

January 24, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from J. Cleveland Gentry,
Meeker, Colorado
requesting that Permit No. M-15944 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15944, heretofore issued to J. Cleveland Gentry,
Meeker, Colorado be,
and the same is hereby, declared cancelled effective December 11, 1962

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland
Ralph Commissioners

Dated at Denver, Colorado,

this 24th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
EVERETT FISHER, DOING BUSINESS AS,)
"FISHER'S PRODUCE", 207 WEST FIRST)
STREET, MC COOK, NEBRASKA.)
-----)

PERMIT NO. M-15779

January 24, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Everett Fisher, doing
business as, "Fisher's Produce", Mc Cook, Nebraska
requesting that Permit No. M-15779 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15779, heretofore issued to Everett Fisher, doing
business as, "Fisher's Produce", Mc Cook, Nebraska be,
and the same is hereby, declared cancelled effective January 4, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 24th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
FRANK GRAVES AND FRED RYON,)
DOING BUSINESS AS, "GRAVES AND)
RYON TRUCK LINE", 2525 NORTH)
MAIN, FORT WORTH, TEXAS.)

PUC NO. 4570-I

January 24, 1963

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Frank Graves
and Fred Ryon, doing business as, "Graves & Ryon Truck Line", Fort Worth, Texas

requesting that Certificate of Public Convenience and Necessity No. 4570-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. 4570-I heretofore issued to Frank Graves
and Fred Ryon, doing business as, "Graves & Ryon Truck Line", Fort Worth, Texas

be, and the same is hereby, declared cancelled effective December 31, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dennis E. Zarlengo
Howard S. Bjelland
Ray C. Wilson
Commissioners

Dated at Denver, Colorado
this 24th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
 C. W. HOWARD AND RICHARD E.)
 HOWARD, DOING BUSINESS AS, "C.W.)
 HOWARD AND SON", HOUSING OFFICE,)
 PETERSON FIELD, COLORADO SPRINGS,)
 COLORADO. -----)

PERMIT NO. B-3638

 January 24, 1963

S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that their Permit No. B-3638 be further suspended for six months from February 11, 1963.

F I N D I N G STHE COMMISSION FINDS:

that the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That C. W. Howard & Richard E. Howard, doing business as, "C. W. Howard & Son", Colorado Springs, Colorado be, and is hereby, authorized to further suspend their operations under Permit No. B-3638 until August 11, 1963.

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 regulation 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

Henry C. Zaehner
Howard S. Bjelland
 Commissioners

Dated at Denver, Colorado,
 this 24th day of January, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)

ARLENE D. MARTINEZ, R. F. D. 1)
BOX 72-B, ANTONITO, COLORADO.)

PERMIT NO. B-5471-I

January 24, 1963
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that her Permit No. B-5471-I be further suspended for six months from January 11, 1963.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Arlene D. Martinez, Antonito, Colorado

be, and is hereby, authorized to further suspend her operations under Permit No. B-5471-I until July 11, 1963.

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

Henry C. Zachary
Howard S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 24th day of January, 1963.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOE COOPER, DECEASED, 800 GRAPE)
STREET, DENVER 20, COLORADO.)
-----)

PERMIT NO. M-3413

January 24, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Joe Cooper (Deceased),
Denver 20, Colorado

requesting that Permit No. M-3413 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3413, heretofore issued to Joe Cooper (Deceased),
Denver 20, Colorado be,

and the same is hereby, declared cancelled effective December 15, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland
Ralph C. Roberts
Commissioners

Dated at Denver, Colorado,

this 24th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
TEDDY J. FRANKLIN, P. O. BOX 455,)
RANGELY, COLORADO.)
)
)
-----)

PERMIT NO. M-13782

January 24, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Teddy J. Franklin,
Rangely, Colorado
requesting that Permit No. M-13782 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13782, heretofore issued to Teddy J. Franklin,
Rangely, Colorado be,
and the same is hereby, declared cancelled effective December 10, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Arnold S. Bjelland
Ralph C. Johnson
Commissioners

Dated at Denver, Colorado,

this 24th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PHIL MC CLUSKEY, DOING BUSINESS AS,)
"MC CLUSKEY'S", P. O. BOX 125,)
SILVERTON, COLORADO.)
-----)

PERMIT NO. M-13095

January 24, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Phil Mc Cluskey, doing
business as, "Mc Cluskey's", Silverton, Colorado
requesting that Permit No. M-13095 be cancelled.

FINDINGS

THE COMMISSION FINDS:

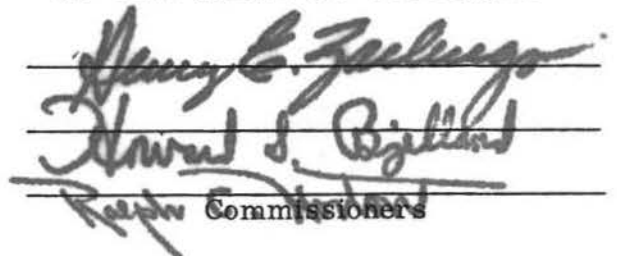
That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13095, heretofore issued to Phil Mc Cluskey, doing
business as, "Mc Cluskey's", Silverton, Colorado be,
and the same is hereby, declared cancelled effective December 15, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 24th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FULLVIEW CORPORATION, 5001 COLORADO)
BOULEVARD, DENVER 16, COLORADO.)
-----)

PERMIT NO. M-11920

January 24, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Fullview Corporation,
Denver 16, Colorado
requesting that Permit No. M-11920 be cancelled.

FINDINGS

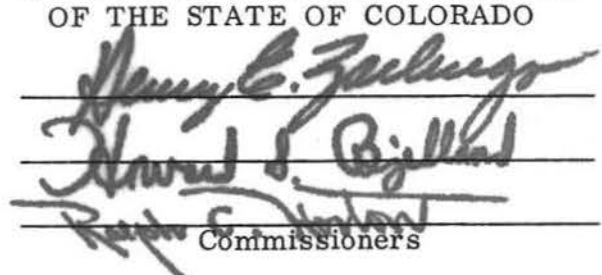
THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11920, heretofore issued to Fullview Corporation,
Denver 16, Colorado be,
and the same is hereby, declared cancelled effective February 1, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 24th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
OMER REED, 1281½ SUNSET ROAD S.W.)
ALBUQUERQUE, NEW MEXICO.)
)
)
-----)

PERMIT NO. M-2072

January 24, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Omer Reed,
Albuquerque, New Mexico
requesting that Permit No. M-2072 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2072, heretofore issued to Omer Reed,
Albuquerque, New Mexico be,
and the same is hereby, declared cancelled effective January 7, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zachary
Arnold S. Bjelland
Commissioners
Ralph C. ...

Dated at Denver, Colorado,
this 24th day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
A. E. PEZOLDT AND JERRY PEZOLDT AND)
MARSHAL GRIFFITH, DOING BUSINESS AS,)
"NOB HILL TRADING POST", 3112 EAST)
HIWAY 24, COLORADO SPRINGS, COLORADO.)
-----)

PERMIT NO. M-13555

January 17, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from A. E. Pezoldt and Jerry Pezoldt and Marshal Griffith, doing business as, "Nob Hill Trading Post", Colorado Springs Colorado requesting that Permit No. M-13555 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13555, heretofore issued to A. E. Pezoldt and Jerry Pezoldt and Marshal Griffith, doing business as, "Nob Hill Trading Post", Colorado Springs, Colorado be, and the same is hereby, declared cancelled effective April 24, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zeckler
Edward S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 17th day of January, 19 63.

original

(Decision No. 59962)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

MOUNTAIN VIEW RUBBISH REMOVAL COMPANY,)
480 Independence Street,)
Lakewood, Colorado,)

SAM'S ASH, TRASH AND GARBAGE SERVICE,)
1562 South Benton Street,)
Lakewood, Colorado,)

Complainants,)

vs.)

ALVERNE A. JONES, DOING BUSINESS AS)
"MOUNTAIN DISPOSAL SERVICE,")
10570 West 47th Place,)
Wheatridge, Colorado,)

Defendant.)

CASE NO. 5213

January 16, 1963

Appearances: Bennett S. Aisenberg, Esq., Den-
ver, Colorado, for Complainants;
Roy H. McVicker, Jr., Esq., Wheat-
ridge, Colorado, for Respondent.

S T A T E M E N T

By the Commission:

On January 30, 1962, Complaint was filed with the Commission
in the above-styled matter.

On February 2, 1962, Order to Satisfy or Answer was issued by
the Commission, directed to Defendant herein, to which Answer was filed
on February 23, 1962.

Subsequently, said Case was regularly set for hearing before
the Commission, at the Hearing Room of the Commission, 532 State Ser-
vices Building, Denver, Colorado, December 13, 1962, at ten o'clock A.
M., due notice thereof being forwarded to all parties in interest.

On December 12, 1962, the Commission, as provided by law,

designated Louis J. Carter, 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 he finds Respondent herein is not serving outside the authority granted by Decision No. 57021, as charged in the Complaint.

Report of the Examiner recommends that the above-styled case be 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.

After reviewing Report of Examiner herein, we find that Case No. 5213 should be dismissed.

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 Case No. 5213 be, and the same hereby is, dismissed.

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 16th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN L. BIVANS, JR., 23 HARRISON)
AVENUE, LONGMONT, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 19293-PP
SUPPLEMENTAL ORDER

January 16, 1963

Appearances: John L. Bivians, Jr., Long-
mont, Colorado, pro se.

S T A T E M E N T

By the Commission:

On September 5, 1962, the Commission entered its Decision No. 59221 in the above-styled application, granting to applicant herein the right to operate as a Class "B" private carrier by motor vehicle for hire.

Said applicant has failed to comply with requirements set forth in said Decision No. 59221, viz., has failed to file Certificate of Insurance. Therefore,

F I N D I N G S

THE COMMISSION FINDS:

That operating rights granted to applicant herein by Decision No. 59221, of date September 5, 1962, should be revoked, for failure of said applicant to comply with requirements of said Decision No. 59221.

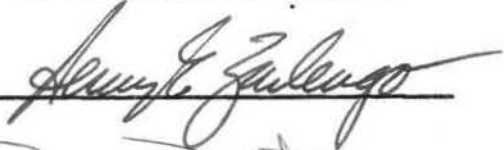
O R D E R

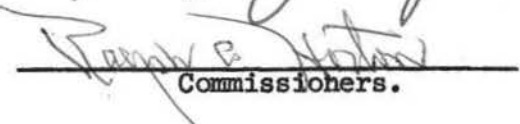
THE COMMISSION ORDERS:

That operating rights granted to John L. Bivians, Jr., Longmont, Colorado, by Decision No. 59221, of date September 5, 1962, be, and the same hereby are, revoked, for failure of applicant to comply with requirements set forth in said Decision No. 59221.

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 16th day of January, 1963.

mls

original

(Decision No. 59964)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

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

APPLICATION NO. 19163-PP
SUPPLEMENTAL ORDER

January 16, 1963

S T A T E M E N T

By the Commission:

On July 10, 1962, the Commission entered its Decision No. 58900, granting to applicant herein the right to operate as a Class "B" private carrier by motor vehicle for hire.

Said applicant has failed to comply with requirements set forth in said Decision No. 58900, viz., has failed to file List of Customers and Tariff. Therefore,

F I N D I N G S

THE COMMISSION FINDS:

That operating rights granted to applicant herein by Decision No. 58900, of date July 10, 1962, should be revoked, for failure of said applicant to comply with requirements of said Decision No. 58900.

O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Pete Chavez, Cokedale, Colorado, by Decision No. 58900, of date July 10, 1962, in Application No. 19163-PP, be, and the same hereby are, revoked, for failure of Applicant herein to comply with requirements set forth in said Decision No. 58900.

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 16th day of January, 1963.

mls

original

(Decision No. 59965)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
CORTES L. SHUMAN, 11100 WEST EXPOSI-)	
TION, DENVER, COLORADO, FOR A CLASS)	APPLICATION NO. 19236-PP
"B" PERMIT TO OPERATE AS A PRIVATE)	<u>SUPPLEMENTAL ORDER</u>
CARRIER BY MOTOR VEHICLE FOR HIRE.)	

January 16, 1963

S T A T E M E N T

By the Commission:

On August 14, 1962, the Commission entered its Decision No. 59071 in the above-styled application, granting to applicant herein the right to operate as a Class "B" private carrier by motor vehicle for hire.

Said applicant has failed to comply with requirements set forth in said Decision No. 59071, viz., has failed to file Certificate of Insurance and List of Customers. Therefore,

F I N D I N G S

THE COMMISSION FINDS:

That operating rights granted to applicant herein by Decision No. 59071, of date August 14, 1962, should be revoked, for failure of said applicant to comply with requirements of said Decision No. 59071.

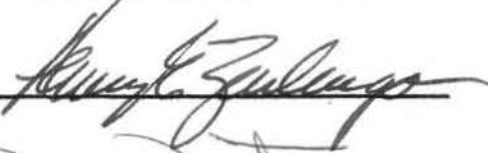
O R D E R

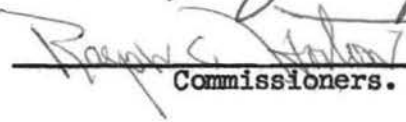
THE COMMISSION ORDERS:

That operating rights granted to Cortes L. Shuman, Denver, Colorado, by Decision No. 59071, of date August 14, 1962, in Application No. 19236-PP, be, and the same hereby are, revoked, for failure of applicant herein to comply with requirements set forth in said Decision No. 59071.

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 16th day of January, 1963.

mls

original

(Decision No. 59966)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PETE E. VIGIL, P. O. BOX 72, WESTON,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 19162-PP
SUPPLEMENTAL ORDER

January 16, 1963

S T A T E M E N T

By the Commission:

On July 10, 1962, the Commission entered its Decision No. 58898 in the above-styled application, granting to applicant herein the right to operate as a Class "B" private carrier by motor vehicle for hire.

Said applicant has failed to comply with requirements set forth in said Decision No. 58898, viz., has failed to file Certificate of Insurance, List of Customers, and Tariff. Therefore,

F I N D I N G S

THE COMMISSION FINDS:

That operating rights granted to applicant herein by Decision No. 58898, of date July 10, 1962, should be revoked, for failure of said applicant to comply with requirements of said Decision No. 58898.

O R D E R

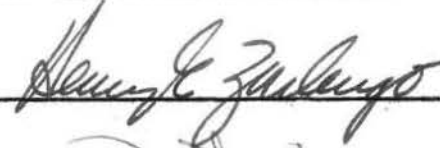
THE COMMISSION ORDERS:

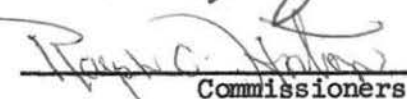
That operating rights granted to Pete E. Vigil, Weston, Colorado, by Decision No. 58898, of date July 10, 1962, in Application No. 19162-PP, be, and the same hereby are, revoked, for failure of applicant herein to comply with requirements set forth in said Decision No.

58898.

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 16th day of January, 1963.

mls

original

(Decision No. 59967)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ELDRED M. COLE, 3370 SOUTH KNOX)
COURT, ENGLEWOOD, COLORADO.)

PUC NO. 4357

January 16, 1963

S T A T E M E N T

By the Commission:

Request has been received from Eldred M. Cole, Englewood, Colorado, owner and operator of PUC No. 4357, that he be permitted to use the firm name and style "Central City Bus Line," in the conduct of operations under said PUC No. 4357.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the Secretary of the Commission is hereby directed to change the records of the Commission to show PUC No. 4357 to be owned and operated by:

"Eldred M. Cole, doing business as
'Central City Bus Line,'"

in lieu of:

"Eldred M. Cole."

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 16th day of January, 1963.
mls

original

(Decision No. 59968)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
W. J. MARTIN, 1650 WEST HAMILTON)
PLACE, ENGLEWOOD, COLORADO, FOR AU-)
THORITY TO EXTEND OPERATIONS UNDER)
PERMIT NO. B-6225.)

APPLICATION NO. 19288-PP-Extension
SUPPLEMENTAL ORDER

January 16, 1963

S T A T E M E N T

By the Commission:

On September 5, 1962, the Commission entered its Decision No. 59219 in the above-styled application, granting to applicant herein the right to extend operations under Permit No. B-6225.

Said applicant has failed to comply with requirements set forth in said Decision No. 59219, viz., has failed to file Tariff. Therefore,

F I N D I N G S

THE COMMISSION FINDS:

That operating rights granted to applicant herein by Decision No. 59219, of date September 5, 1962, should be revoked, for failure of said applicant to comply with requirements of said Decision No. 59219.

O R D E R

THE COMMISSION ORDERS:

That operating rights granted to W. J. Martin, Englewood, Colorado, by Decision No. 59219, of date September 5, 1962, in Application No. 19288-PP-Extension, be, and the same hereby are revoked, for failure of applicant herein to comply with requirements set forth in said Decision No. 59219.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Alvin B. Zuberger
Joseph C. Hartman
Commissioners.

Dated at Denver, Colorado,
this 16th day of January, 1963.

mls

original

(Decision No. 59969)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
W. J. FOSTER, 639 OSCEOLA STREET,)
DENVER, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 19289-PP
SUPPLEMENTAL ORDER

January 16, 1963

Appearances: Wm. J. Foster, Denver,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On September 5, 1962, the Commission entered its Decision No. 59220 in the above-styled application, granting to applicant herein the right to operate as a Class "B" private carrier by motor vehicle for hire.

Said applicant has failed to comply with requirements set forth in said Decision No. 59220, viz., has not filed Tariff. Therefore,

F I N D I N G S

THE COMMISSION FINDS:

That operating rights granted to applicant herein by Decision No. 59220, of date September 5, 1962, should be revoked, for failure of said applicant to comply with requirements of said Decision No. 59220.

O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Wm. J. Foster, Denver, Colorado, by Decision No. 59220, of date September 5, 1962, in Application No. 19289-PP, be, and the same hereby are, revoked, for failure of applicant herein to comply with requirements set forth in said Decision No. 59220.

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 16th day of January, 1963.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ALMA M. MURPHY, WIGGINS, COLORADO,)	
FOR AUTHORITY TO TRANSFER PUC NO.)	APPLICATION NO. 19476-Transfer
1847 AND PUC NO. 1847-I TO GEORGE)	
MURPHY, WIGGINS, COLORADO.)	

January 17, 1963

Appearances: Alma M. Murphy, Wiggins,
Colorado, pro se;
George Murphy, Wiggins,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Alma M. Murphy, Wiggins, Colorado, is the owner and operator
of PUC No. 1847 and PUC No. 1847-I, which authorizes:

transportation of farm products, including livestock but excluding dairy products, between points within the area extending six miles south, ten miles east, six miles west, and fifteen miles north of Hoyt, Colorado; farm products, including livestock, but excluding dairy products, from points in said area, to markets in Wiggins, Fort Morgan, Brush, Greeley, and the City and County of Denver, with back-haul of livestock, fence posts, poles, brick, cement, plaster, cinder blocks, slabs, and similar building materials, to points in the above-described area; coal and stock feeds, from supply points in the City and County of Denver and the Counties of Boulder, Weld, and Morgan, on the one hand, to points in the above-described Hoyt area, on the other; without the right to haul commodities ordinarily handled by line-haul motor vehicle common carriers between points served by such carriers on schedule; livestock, farm products (other than dairy products), farm equipment and supplies, posts, poles, brick, cement, plaster, blocks, slabs, and similar building materials, stock feeds and coal, between points within an area extending six miles south, seventeen miles north, ten miles east and six miles west of Hoyt, Colorado, and between points in said

area, on the one hand, and, on the other, points within a radius of one hundred and fifty miles of Hoyt, Colorado; beet samples, between points in Morgan County and that portion of Washington County lying west of a line running north and south of Akron, including Akron, and north of a line running east and west of Rago, including Rago; freight, 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,

and by the instant application seeks authority to transfer said PUC No. 1847 and PUC No. 1847-I to George Murphy, Wiggins, Colorado.

The application was set for hearing on December 10, 1962, at 10:00 o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That no one protests the granting of the proposed transfer.

That the transferee will have sufficient equipment and experience to properly carry on the proposed transportation services and the transferee's financial standing is established to the satisfaction of the Commission.

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 Alma M. Murphy, Wiggins, Colorado, be, and hereby is, authorized to transfer all her right, title, and interest in and to

PUC No. 1847 and PUC No. 1847-I -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to George Murphy, Wiggins, Colorado, subject to payment of outstanding indebtedness against said operations, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificates have been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of 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 certificates up to the time of transfer of said certificates.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Alvin E. Juley
Ralph C. Johnson
Commissioners.

Dated at Denver, Colorado,
this 17th day of January, 1963.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
D. R. HART, P. O. BOX 317, DERBY,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 3581 TO LEO C. HART, DOING)
BUSINESS AS "SUNRISE DISPOSAL,")
6041 TICHY BOULEVARD, DERBY, COLO-)
RADO.)

APPLICATION NO. 19466-Transfer

January 17, 1963

Appearances: Leo C. Hart, Derby, Colo-
rado, for Applicants.

STATEMENT AND FINDINGS OF FACT

By the Commission:

D. R. Hart, Derby, Colorado, is the owner and operator of
PUC No. 3581, which authorizes:

transportation of ashes, trash, and other waste
materials between points in the City of Commerce
Town, and from said area to regularly-designated
and approved dumps and disposal places in Adams,
Jefferson and Denver Counties,

and by the instant application seeks authority to transfer said PUC
No. 3581 to Leo C. Hart, doing business as "Sunrise Disposal," Derby
Colorado.

The application was set for hearing on December 5, 1962, at
9:30 o'clock A. M., in the Hearing Room of the Commission, 532 State
Services Building, Denver, Colorado. The same was then and there
heard by an Examiner duly designated and to whom the hearing was
assigned by the Commission. After the conclusion of the hearing,
said Examiner transmitted to the Commission the record and exhibits
of said proceeding together with a written statement of his findings
of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That no one protests the granting of the proposed transfer.

That the transferee is fit and proper, has sufficient equipment and operating experience, and is financially able to render and continue operations under the certificate.

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 D. R. Hart, Derby, Colorado, be, and hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 3581 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Leo C. Hart, doing business as "Sunrise Disposal," Derby, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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

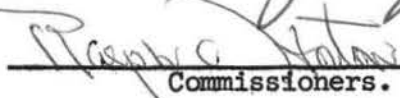
feree until changed according to law and the rules and regulations of this Commission.

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.

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 17th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BERNARDINO F. MARTINEZ, 4527 PEARL)
STREET, DENVER, COLORADO, FOR A CER-)
TIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY TO OPERATE AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 19478-Amended

January 17, 1963

Appearances: Bernardino F. Martinez, Den-
ver, Colorado, pro se;
Dwight D. Murphey, Esq., Den-
ver, Colorado, for Donald
Freehling, and Best-Way
Disposal.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle in the transportation of ashes, trash, rubbish, and other waste materials in the territory known and described as 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.

The application was set for hearing on December 7, 1962, at 10:30 o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That at the commencement of the hearing, applicant moved to amend his application to read as follows:

transportation of ashes, trash, and other waste materials, between points within the following described territory: 32nd Avenue on the north, Locust Street on the east, Colfax Avenue on the south, and Colorado Boulevard on the west, and from said area to regularly-designated and approved dumps and disposal places;

whereupon protestants withdrew their protest to the application as amended.

That there is a need for the proposed transportation services and the applicant will have sufficient equipment and experience to properly carry on the proposed transportation services and the applicant's financial standing is established to the satisfaction of the Commission.

That present and future public convenience and necessity require, and will require, the transportation services for which applicant herein seeks authority, and the application should be granted.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed motor vehicle transportation service of Bernardino F. Martinez, Denver, Colorado, for the transportation of ashes, trash, and other waste materials, between points within the following described territory: 32nd Avenue on the north, Locust Street on the east, Colfax Avenue on the south, and Colorado Boulevard on the west, and from said area to regularly-designated and approved dumps and disposal places, 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 17th day of January, 1963.

mls

original

(Decision No. 59973)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LUTHER PARKER, 3215 YORK STREET,)
DENVER, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 19479-Amended

January 17, 1963

Appearances: Lawrence Litvak, Esq., Denver,
Colorado, for Applicant;
Dwight D. Murphey, Esq., Den-
ver, Colorado, and
Bennett S. Aisenberg, Esq.,
Denver, Colorado, for Best-
Way Disposal, Donald G.
Freehling, Weber's Hauling
Service, and Decker Disposal,
Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks a certifi-
cate of public convenience and necessity to operate as a common car-
rier by motor vehicle in the transportation of ashes and trash in the
City and County of Denver, limited to one one-half ton pick-up vehicle.

The application was set for hearing on December 7, 1962, at
10:30 o'clock A. M., in the Hearing Room of the Commission, 532 State
Services Building, Denver, Colorado. The same was then and there
heard by an Examiner duly designated and to whom the hearing was
assigned by the Commission. After the conclusion of the hearing, said
Examiner transmitted to the Commission the record and exhibits of said
proceeding together with a written statement of his findings of fact
and conclusion.

The Commission having considered the record and the written

report of the Examiner states and finds:

That at the commencement of the hearing, pursuant to stipulation, the application was amended as follows:

transportation of ashes, trash, and other waste materials, between points within the following described territory: Beginning at 36th Avenue and Colorado Boulevard, south on Colorado Boulevard to 22nd Avenue, 22nd Avenue west to Champa Street, Champa Street to Downing Street, Downing Street to 36th Avenue, 36th Avenue east to point of beginning at 36th Avenue and Colorado Boulevard, and from said territory to regularly approved and designated dumps and disposal places, limited to the use of one-one-half ton pick-up vehicle;

whereupon protestants withdrew their protest to the granting of the application as amended.

That there is a need for the proposed transportation service and the applicant will have sufficient equipment and experience to properly carry on the proposed transportation services and the applicant's financial standing is established to the satisfaction of the Commission.

That present and future public convenience and necessity require, and will require, the transportation services for which applicant herein seeks authority, and the application should be granted, as amended.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed motor vehicle transportation service of Luther Parker, Denver, Colorado, for the transportation of ashes, trash, and other waste materials, between points within the following described territory: Beginning at 36th Avenue and Colorado Boulevard, south on Colorado Boulevard to 22nd Avenue, 22nd Avenue west to Champa Street, Champa Street to Downing Street, Downing Street to 36th Avenue, 36th Avenue east to point of beginning at 36th Avenue and Colorado Boulevard, and from said territory to regularly designated and approved dumps and disposal places, limited

to the use of one one-half ton pick-up vehicle, 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 17th day of January, 1963.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
C. R. SITLER, 8189 NOLA DRIVE, DEN-)
VER, COLORADO, FOR AUTHORITY TO EX-) APPLICATION NO. 19480-PP-Extension
TEND OPERATIONS UNDER PERMIT NO.)
B-6215.)

January 17, 1963

Appearances: C. R. Sitler, Denver, Colo-
rado, pro se;
John P. Thompson, Esq., Den-
ver, Colorado, for Intra-
state Line Haul Common
Carriers' Division of Motor
Truck Common Carriers' Asso-
ciation;
A. Gene Hood, Loveland, Colo-
rado, for Denver & Loveland
Transportation, Inc., for
Copy of Order.

STATEMENT AND FINDINGS OF FACT

By the Commission:

C. R. Sitler, Denver, Colorado, is the owner and operator
of Permit No. B-6215, which authorizes:

transportation of building materials, between
points within the City and County of Denver,
and to construction jobs within a radius of
ten miles of said City and County of Denver,
State of Colorado, for Rio Grande Company,
123 Santa Fe Drive, Denver, Colorado,

and by the instant application seeks authority to extend operations
under said Permit No. B-6215 to include the transportation of build-
ing materials to job sites within a radius of 50 miles of said City
and County of Denver, State of Colorado, for Rio Grande Co., 123
Santa Fe Drive, Denver, Colorado.

The application was set for hearing on December 7, 1962,
at 9:30 o'clock A. M., in the Hearing Room of the Commission, 532

State Services Building, Denver, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That at the commencement of the hearing applicant moved to amend his application to read as follows:

transportation of building materials, between points within the City and County of Denver, to job sites within a radius of 50 miles of said City and County of Denver, State of Colorado, for Rio Grande Co., 123 Santa Fe Drive, Denver, Colorado, PROVIDED, however, applicant shall not operate in competition with scheduled line-haul common carriers, and further restricted and limited to the use of one truck;

whereupon protestants herein withdrew their protest to the granting of the application as amended.

That there is a need for the proposed transportation services and the applicant will have sufficient equipment and experience to properly carry on the proposed operation and the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority as amended will be in the public interest and the application should be granted as provided in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-6215, of C. R. Sitler, Denver, Colorado, be, and the same hereby is, extended to include the transportation of building materials, from points within the City and County of Denver, to job sites within a radius of 50 miles of said City and County of Denver, State of Colorado, for Rio Grande Co., 123 Santa Fe Drive,

Denver, Colorado, only, PROVIDED, however, applicant shall not operate in competition with scheduled line-haul common carriers, and restricted and limited to the use of one truck.

This Order is made a part of the permit granted to applicant, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners.

Dated at Denver, Colorado,
this 17th day of January, 1963.

mls

original

(Decision No. 59975)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ANSELMO TRUJILLO, 550 EAST FIRST,)
CENTER, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 19504-PP

January 17, 1963

Appearances: Donald G. Smith, Esq., Alamosa,
Colorado, for Applicant;
Elizabeth A. Conour, Esq., Del
Norte, Colorado, for J. P.
Wiederkehr & Son.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks authority to engage in the transportation of potatoes and hay from point to point wit in a fifty mile radius of Center, Colorado, as a Class "B" private carrier by motor vehicle for hire.

The application was set for hearing on December 13, 1962, at 10:00 o'clock A. M., in the City Hall, Alamosa, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner states and finds:

That at the commencement of the hearing, with regard to the transportation of hay, the respective parties entered into the follow-

ing stipulation:

that the transportation of hay be restricted against the establishment of an office for the solicitation of business in the area bounded on the east by a line drawn north and south from the Saguache County Line to the Conejos County Line, passing through the 7 mile Plaza bounded on the north by the Saguache County Line, west of the aforesaid described line;

whereupon protestant withdrew its protest to the granting of the authority as herein sought.

That there is a need for the proposed transportation services; that the applicant will have sufficient equipment and experience to properly carry on the proposed operation; and, that the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority as provided in the following Order will be in the public interest and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Anselmo Trujillo, Center, Colorado, be, and hereby is, granted authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of potatoes, between points within a radius of 50 miles of Center, Colorado; and transportation of hay, between points within a radius of 50 miles of Center, Colorado, provided, however, that applicant shall not establish an office for the solicitation of business for the transportation of hay, in the area bounded on the east by a line drawn north and south from the Saguache County Line to the Conejos County Line, passing through 7 mile Plaza, bounded on the north by the Saguache County Line, west of the aforesaid described line, and this Order is a permit therefor.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amend-

ments 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





Commissioners.

Dated at Denver, Colorado,
this 17th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES R. MC CORD, DOING BUSINESS)
AS "MERCHANTS DELIVERY SERVICE,")
2535 KENNEDY, GRAND JUNCTION, COLO-) APPLICATION NO. 19514-PP-Extension
RADO, FOR AUTHORITY TO EXTEND OPER-)
ATIONS UNDER PERMIT NO. B-5010.)

January 17, 1963

Appearances: Charles R. McCord, Grand
Junction, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Charles R. McCord, doing business as "Merchants Delivery
Service," Grand Junction, Colorado, is the owner and operator of
Permit No. B-5010, authorizing:

transportation of packages, not exceeding
fifteen pounds in weight, from point to
point within the City of Grand Junction,
Colorado, and a ten-mile radius thereof,
for retail merchants of Grand Junction,
Colorado; provided, however, that in the
exercise of said authority, owners thereof
shall not transport any commodity in com-
petition with schedule line-haul authority
of PUC No. 17 between Grand Junction, Colo-
rado, and Palisade, Colorado, and points
intermediate, except on an emergency basis;

and by the instant application seeks authority to extend operations
under said permit from a ten mile radius to an 18 mile radius of Grand
Junction, Colorado, for presently authorized commodities.

The application was set for hearing on December 19, 1962,
at 10:00 o'clock A. M., in the Court House, Grand Junction, Colorado.
The same was then and there heard by an Examiner duly designated and
to whom the hearing was assigned by the Commission. After the conclu-
sion of the hearing, said Examiner transmitted to the Commission the

record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion..

The Commission having considered the record and the written report of the Examiner states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services and the applicant will have sufficient equipment and experience to properly carry on the proposed operation and the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority will be in the public interest and the application should be granted as provided in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-5010 be, and the same hereby is modified and extended, and the authority thereunder shall be for the transportation of packages, not exceeding 15 pounds in weight, from point to point within the City of Grand Junction, Colorado, and an 18 mile radius thereof, for retail merchants of Grand Junction, Colorado; provided, however, that in the exercise of said authority, owners thereof shall not transport any commodity in competition with schedule line-haul authority of PUC No. 17 between Grand Junction, Colorado, and Palisade, Colorado, and points intermediate, except on an emergency basis.

This Order is made a part of the permit granted to applicant, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado,
this 17th day of January, 1963.
mls

original

(Decision No. 59977)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DELLA A. SMITH AND LESTER L. SMITH,)
A PARTNERSHIP, 1025 PALMER, DELTA,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 19515-PP

January 17, 1963

Appearances: Dale P. Blumberg, Delta,
Colorado, for Dale's
Transfer & Storage;
Orville Dunlap, Montrose,
Colorado, for Orville
Dunlap & Son.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, applicant seeks authority to engage in the transportation of farm produce, excluding livestock, from point to point within a radius of fifty miles of Delta, Colorado.

The application was set for hearing on December 20, 1962, at 9:30 o'clock A. M., in the Court House, Montrose, Colorado. The same was then and there called up for hearing by an Examiner duly designated and to whom the hearing was assigned by the Commission. The applicant failed to appear in person, or by representative. Thereafter said Examiner transmitted to the Commission the record and files of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner states and finds:

That the applicant failed to appear, either in person or by representative, at the time and place designated for the hearing.

That protestants herein moved to dismiss the instant application for failure to prosecute.

That the motion of protestants should be granted, and the application dismissed.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is, dismissed for lack of prosecution.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners.

Dated at Denver, Colorado,
this 17th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
KENNETH L. MAIFELD dba)
MILE-HI TIRE COMPANY)
316 West Hampden)
Englewood, Colorado)
-----)

AUTHORITY NO. M 12369
CASE NO. 10619 Ins.

January 18, 1963

S T A T E M E N T

By the Commission:

On December 20, 1962, in the above Case, the Commission entered its Order revoking the above Authority for failure to maintain effective insurance on file with the Commission. Proper insurance filing has now been made with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said Authority should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That said Authority be, and the same hereby is, reinstated, as of the date of revocation, and the said revocation Order be, and the same hereby is, vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry B. Zeckinger
Edward J. Bickel
Ralph C. Gordon
Commissioners

Dated at Denver, Colorado,
this 18th day of January, 1963

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILSON GAINES, 750 GRAND STREET,)
DELTA, COLORADO, FOR A CLASS "B") APPLICATION NO. 19517-PP
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

January 17, 1963

Appearances: Dale P. Blumberg, Delta,
Colorado, for Dale's
Transfer & Storage;
Orville Dunlap, Montrose,
Colorado, for Orville
Dunlap & Son.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks authority to engage in the transportation of farm produce, excluding livestock, from point to point within a radius of 50 miles of Delta, Colorado.

The application was set for hearing on December 20, 1962, at 9:30 o'clock A. M., in the Court House, Montrose, Colorado. The same was then and there called up for hearing by an Examiner duly designated and to whom the hearing was assigned by the Commission. The applicant failed to appear in person, or by representative. Thereafter said Examiner transmitted to the Commission the record and files of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner states and finds:

That the applicant failed to appear, either in person or by representative, at the time and place designated for the hearing.

That protestants herein moved to dismiss the instant application for failure to prosecute.

That the motion of protestants should be granted, and the application dismissed.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is, dismissed for lack of prosecution.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners.

Dated at Denver, Colorado,
this 17th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOSEPH L. HANNIGAN, BOX 292, NOR-)
WOOD, COLORADO, FOR AUTHORITY TO) APPLICATION NO. 19519-PP-Extension
EXTEND OPERATIONS UNDER PERMIT NO.)
B-6341.)

January 17, 1963

Appearances: Joseph L. Hannigan, Nor-
wood, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Joseph L. Hannigan, Norwood, Colorado, is the owner and
operator of Permit No. B-6341, which authorizes:

transportation of uranium and vanadium ores,
from Martin Mesa, Montrose County, and Gyp
Valley, San Miguel County, to Uravan, Colo-
rado, Naturita, Colorado, and Grand Junction,
Colorado, in Montrose and Mesa Counties,
Colorado,

and by the instant application seeks authority to extend and enlarge
such permit to authorize the transportation of sand, gravel, and 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 50 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 home and
small construction jobs within a radius of 50 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 50
miles of said jobs; insulrock, from pits and supply points in the
State of Colorado, to roofing jobs within a radius of 50 miles of said

pits and supply points, transportation of road-surfacing materials restricted against the use of tank vehicles.

The application was set for hearing on December 20, 1962, at 9:30 o'clock A. M., in the Court House, Montrose, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services and the applicant will have sufficient equipment and experience to properly carry on the proposed operation and the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority will be in the public interest and the application should be granted as provided in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Joseph L. Hannigan, Norwood, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-6341 to include the right to transport sand, gravel, and 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 50 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 home and small construction jobs within a radius of 50 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 50 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 50 miles of said pits and supply points, transportation of road-surfacing materials restricted against the use of tank vehicles.

This Order is made a part of the permit granted to applicant, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners.

Dated at Denver, Colorado,
this 17th day of January, 1963.

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(Decision No. 59981)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HOME LIGHT AND POWER COMPANY, A)
CORPORATION, FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY)
AUTHORIZING THE EXERCISE OF FRAN-)
CHISE RIGHTS GRANTED BY THE TOWN OF)
EVANS, STATE OF COLORADO.)

APPLICATION NO. 19534

January 18, 1963

Appearances: Clayton & Gilbert, Esqs.,
Greeley, Colorado, by
John R. Clayton, and
W. A. Terry, Greeley, Colo-
rado, for Applicant;
Paul M. Brown, Denver, Colo-
rado, for the Staff of the
Commission.

S T A T E M E N T

By the Commission:

This is an application by Home Light & Power Company, hereinafter called "Applicant," seeking a certificate of public convenience and necessity to exercise franchise rights in the Town of Evans, Weld County, Colorado, for the purchase, generation, transmission, distribution and sale of electric energy in said Town.

The matter was set for hearing, after due notice to all interested parties, on January 10, 1963, at ten o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and was heard on said date. At the conclusion of the hearing, the matter was taken under advisement.

No one appeared at the hearing in opposition to the authority sought to be granted by this 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

subject to the jurisdiction of this Commission, engaged primarily in the purchase, transmission, distribution and sale of electric energy in various cities, towns and rural areas in Weld County, Colorado, and has been so engaged either by itself or predecessor companies since 1909.

Applicant's witness, Mr. W. A. Terry, President of Applicant, testified that certified copies of its Certificate of Incorporation, together with all amendments thereto, are now in the files of this Commission. Presented as exhibits were a balance sheet and statement of income of Home Light and Power for a twelve months' period ending November 30, 1962. There was further introduced as Exhibit "A" an ordinance adopted by the Town of Evans on December 3, 1962. This Ordinance is numbered 143, and is entitled as follows:

AN ORDINANCE GRANTING A FRANCHISE BY THE TOWN OF EVANS, WELD COUNTY, COLORADO, TO HOME LIGHT AND POWER COMPANY, A CORPORATION, ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO LOCATE, BUILD, CONSTRUCT, ACQUIRE, PURCHASE, MAINTAIN AND OPERATE INTO, WITHIN AND THROUGH THE TOWN OF EVANS, A PLANT OR PLANTS, SUBSTATIONS, AND WORKS, FOR THE GENERATION, PURCHASE, TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY, AND TO FURNISH, SELL AND DISTRIBUTE SAID ELECTRICAL ENERGY TO THE TOWN OF EVANS 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 EVANS, AND FIXING THE TERMS AND CONDITIONS THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

The term of the franchise is for a period of twenty-five years.

Attached to the Ordinance Exhibit were proofs of publication, introduction and passage, recording of the Ordinance by the Town Clerk and formal acceptance by Applicant. The Ordinance provides for a franchise tax of 1% of the gross revenues, which tax does not apply to revenues received in excess of \$2,500 a year from the sale of elec-

tric service rendered to any one customer at any one location. At the present time Applicant serves approximately 1800 people through approximately 500 electric service meters.

During the term of this franchise, Applicant estimates additional capital investment in the amount of \$136,500. Applicant's witness testified an Issuance Fee was paid to this Commission, as provided by law, when a certificate was issued by this Commission, May 11, 1955, to exercise franchise rights granted by the Town of Evans on February 7, 1955. The fee is based on estimated expenditures for capital construction to be made in the Town during the life of the franchise. It appears equitable to give consideration to sums not yet expended on capital construction included in the former application, eight years ago. The issuance fee for this certificate will be the minimum.

Applicant's witness testified that Applicant has been distributing electric energy in the Towns of Evans, La Salle, Kersey and adjacent and intervening rural areas since 1910. No other utility is engaged in the distribution of electric energy within the Town of Evans during the period of operation by Applicant.

The Commission has reviewed this application and the evidence presented by Applicant in support thereof.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of Applicant herein, and of the subject matter involved in this 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 franchise rights granted in and by Ordinance No. 143 of the Town of Evans, dated December 3, 1962, for the

purchase, generation, transmission, distribution and sale of electric energy in said Town and that the permission sought herein should be granted.

O R D E R

THE COMMISSION ORDERS:

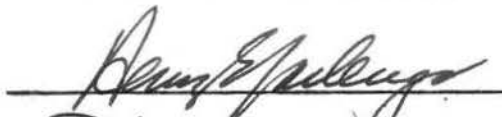
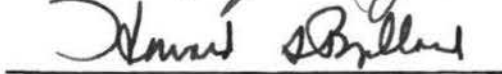
That public convenience and necessity require, and will require, the exercise by Applicant of franchise rights granted in and by Ordinance No. 143 of the Town of Evans, State of Colorado, dated December 3, 1962, identified as Exhibit "A" herein, and, by reference, made a part hereof, for the purchase, generation, transmission, distribution and sale of electric energy in said Town, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

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

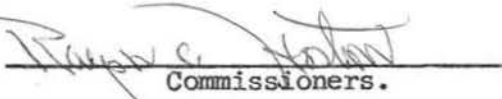
That Applicant shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts and shall continue to keep its practices in accordance with the rules as adopted by this Commission.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 18th day of January, 1963.


Commissioners.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE DEPARTMENT OF HIGHWAYS OF THE)
STATE OF COLORADO, 4201 EAST)
ARKANSAS AVENUE, DENVER, COLORADO,)
FOR AUTHORITY TO RELOCATE EXISTING)
COUNTY ROAD GRADE CROSSING AT PRING,)
COLORADO, AND TO PROTECT SAID RE-)
LOCATED CROSSING AT ICC STATION)
3146 + 70 OF THE ATCHISON, TOPEKA,)
AND SANTA FE RAILWAY COMPANY, IN EL)
PASO COUNTY, COLORADO.)

APPLICATION NO. 19396

January 18, 1963

Appearances: Joseph M. Montano, Esq., Den-
ver, Colorado, for Applicant;
Douglas McHendrie, Esq., Den-
ver, Colorado, for Atchison,
Topeka and Santa Fe Railway
Company;
J. L. McNeill, 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 the Commission on October 11, 1962, and was thereafter set to be heard in Colorado Springs, Colorado, at the El Paso County Office Building, on January 8, 1963. After appropriate notice to interested parties to the Denver & Rio Grande Western Railroad and to owners of adjacent property, the matter was there heard by Edwin R. Lundborg, as a duly appointed Examiner for the Commission. Evidence was received, testimony taken, and the files in the matter, together with the Examiner's Report and recommendations, were all submitted to the Commission, and the matter taken under advisement.

Purpose of the application is to secure Commission approval for the abandonment of a county-road grade crossing over trackage of

Santa Fe Railway, and to therewith relocate the County road and construct a new grade crossing at another point on said rail line. The new crossing will include protection of flashing light signals and be located at the Pring siding (MP 679.86) approximately three miles south of Monument, Colorado.

The following exhibits were received at the hearing after explanation and testimony as given by Mr. E. L. King of the Surveys and Plans Division, Colorado Department of Highways:

- Exhibit A: (Attached to Application)
Copy of Title Page from project plans with sketch map to show extent of work to be done on Interstate Highway No. 25 and location of proposed grade crossing work at Pring siding.
- Exhibit B: (Attached to Application)
Copy of Alinement plan and profile sheet to show proposed County Road construction and detailed locations in respect to trackage of Santa Fe Railway (Northbound) and Rio Grande (Southbound).
- Exhibit C: Prepared testimony statement of Mr. King to describe details of the proposed work relating to: Location, agreements, roads involved, need, safety protection and cost of work to be done.
- Exhibit D: Facsimile copy of Agreement made on June 21, 1962, between The Atchison, Topeka, and Santa Fe Railway Company and Department of Highways for grade crossing changes and installation of flashing light signals.

It appears that need for the proposed crossing work is related to a work program of the Department to up-grade the existing four-lane highway (No. 85-87) to meet present standards of the new Interstate System of Defense Highways. In said upgrading, it is required there be full access control of vehicular travel from intersecting or adjoining roads. In this case there is an existing County Road that serves extensive ranch homes and summer convention and student facilities located on both the east and west sides of the main north-south U. S. Highway, with access by means of a direct intersection at grade.

In cooperation with El Paso County Commissioners, certain realignment changes of the county road appeared advisable and intersection plans were approved with the Department for what is known as the "Baptist Road Interchange."

With reference to this application, and as shown on Exhibit B, the County road is to be extended westerly from the new interchange approximately three-fourths of a mile along the north line of Section 35, Township 11-South, Range 66-West. In this manner, the crossing over Santa Fe trackage will be made at a new location and connection with the old road will be at the same point where crossing has been made over the south-bound mainline of Rio Grande Railroad.

According to Mr. King, the proposed grade crossing is a necessary part of the new Baptist Road Interchange; the existing crossing at Pring, Santa Fe ICC Station 3116 plus 50 will be abandoned and be relocated at ICC Station 3146 plus 70; former crossbuck protection will be replaced by two automatic flashing light signals. One mainline and a siding track are involved, rail traffic averages 16 trains per day at speeds up to the maximum of 50 MPH: use of the siding track is not extensive and with single-direction train operation, a multiple track consideration is not involved. Highway use at the crossing is estimated at 100 vehicles per day.

With reference to Exhibit B, work at the westerly end of the County Road re-location will involve trackage of Rio Grande railroad by construction of new approaches to the existing crossing and placement of two new Advance Warning signs and two Railroad Crossbuck signs. According to Mr. King, traffic at this crossing, amounting to some twenty vehicles daily, is not involved in the Interchange construction, since all former connections will be retained for access to the Freeway (Interstate 25) and to the County road into Monument.

According to the understanding herein, Department of Highways is the contracting agency for all work being done on the County

road in cooperation with El Paso County, and with Santa Fe Railway involving relocation of the grade crossing. Estimated costs of the crossing work and participation of Santa Fe Railway according to the agreement (Exhibit D) are as follows:

<u>Item</u>	<u>Total</u>	<u>A.T.& S.Fe</u>	<u>Department</u>
Advance Warning Signs	\$ 60.00	-	\$ 60.00
Relocated Grade Crossing	2,650.00	-	2,650.00
Flashing Light Signals	<u>7,103.00</u>	<u>\$710.00</u>	<u>6,393.00</u>
Total	\$9,813.00	\$710.00	\$ 9,103.00

Approvals for the proposed work have been granted by: Chief Engineer, Department of Highways; Board of El Paso County Commissioners and proper officers of Santa Fe Railway. Construction of the Interstate portion of the project also has the concurrence of Bureau of Public Roads. No objections to the proposed work have been received by the Commission and none was offered at the hearing.

F I N D I N G S

THE COMMISSION FINDS:

That it is informed in the instant matter and the foregoing Statement, by reference, is made a part hereof.

That construction of a new connection with Interstate Route 25 known as the Baptist Road Interchange and located some three miles south of Monument, Colorado, will require the abandonment of an existing highway-railroad grade crossing and the re-establishment thereof at a more favorable location over trackage of The Atchison, Topeka and Santa Fe Railway Company.

That public convenience and necessity will be served by the establishment of a new County road-railroad grade crossing complete with flashing light protection at ICC Station 3146 plus 70 and the abandonment of an existing crossing at ICC Station 3116 plus 50 of The Atchison, Topeka and Santa Fe Railway Company.

That in connection with the proposed County road relocation, other work will include improvements consisting of new crossbucks and

Advance Warning signs at the existing grade crossing over southbound main line of The Denver & Rio Grande Western Railroad Company at its Mile Post 58.4.

That the application should be approved and authority be granted for the crossing changes as requested.

O R D E R

THE COMMISSION ORDERS:

That Applicant, the Department of Highways of the State of Colorado, be, and it hereby is, granted a certificate of public convenience and necessity to authorize and approve:

- (a) Abandonment and removal of a County road grade crossing over the tracks and right-of-way of The Atchison, Topeka & Santa Fe Railway Company at ICC Station 3116 plus 50 feet.
- (b) Construction, operation and maintenance of a public highway-railroad grade crossing, complete with flashing-light signal protection, over the right-of-way, mainline and passing track of The Atchison, Topeka & Santa Fe Railway Company at ICC Station 3146 plus 70 feet.

All as located at the Pring siding of said railroad line in El Paso County, Colorado.

- (c) Improvements consisting of two reflectorized crossbuck signs and two reflectorized Advance Warning signs at the public highway-railroad grade crossing over a single main line track of The Denver & Rio Grande Western Railroad Company at its Mile Post 58.4, also located in El Paso County, approximately three miles south of Monument, Colorado.

That the work to be done, costs, construction and maintenance of the proposed crossing, signals devices, and warning signs, shall all be in accordance with the foregoing Statement and Exhibits Nos. A, B, C and D, all of which, by reference, are made a part hereof.

That the proposed signal devices, warning signs and installation thereof shall all be in conformance with the Bulletin of the Association of American Railroads' Joint Committee on Railroad Protection.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zuley
Howard S. Brillant
Ralph C. Hutton
Commissioners.

Dated at Denver, Colorado,
this 18th day of January, 1963.

mls

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," BOX 71,)
DELTA, COLORADO, FOR AUTHORITY TO) APPLICATION NO. 19344-PP-Transfer
TRANSFER PERMIT NO. B-5654 TO HAROLD)
ROSS DUNLAP AND ORVILLE DUNLAP, DO-)
ING BUSINESS AS "ORVILLE DUNLAP &)
SON," ROUTE 3, MONTROSE, COLORADO.)

IN THE MATTER OF THE APPLICATION OF)
JOHN A. DOYLE, DOING BUSINESS AS)
"JOHN DOYLE TRUCK LINE," BOX 71,)
DELTA, COLORADO, FOR AUTHORITY TO) APPLICATION NO. 19345-Transfer
TRANSFER PUC NO. 1346 AND PUC NO.)
1346-I TO HAROLD ROSS DUNLAP AND)
ORVILLE DUNLAP, DOING BUSINESS AS)
"ORVILLE DUNLAP & SON," ROUTE 3,)
MONTROSE, COLORADO.)

January 22, 1963

Appearances: Orville Dunlap, Montrose,
Colorado, pro se;
John A. Doyle, Delta,
Colorado, pro se.

S T A T E M E N T

By the Commission:

This matter coming on for hearing on September 25, 1962, in
the District Court, in Montrose, Colorado, after notice to all parties
interested.

This is an application for a transfer by John Doyle, doing
business as "John Doyle Truck Line," of his common carrier certificates
1346 and 1346-I, and Permit No. B-5654, which respectively provide as
follows:

PUC No. 1346 and PUC No. 1346-I:

Transportation of livestock and farm products
between all points within a radius of 20 miles
of Delta, Colorado, and from and to points with-

in said radius to and from all points in the State of Colorado;

transportation, on call and demand, of:

(1) farm products, including livestock and wool in grease, between points within the area extending twenty miles north, twenty miles south, twenty miles west and fifty miles east of Delta, and from and to points in said area to and from points in the State of Colorado;

(2) used furniture and household goods, and used farm machinery and farm equipment and supplies, between points within the area extending twenty miles north, on the south to an imaginary line drawn east and west through Olathe; fifteen miles west and twenty miles east of Delta;

(3) poles and posts from and to points within a radius of fifty miles of Delta, to and from points in the State of Colorado;

(4) stock feeds and farm machinery to farms within the area described in subdivision (1) from points in the State of Colorado.

Interstate Authority: 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.

Extended to include the transportation of authorized commodities within the home-rule Cities of Montrose and Delta, Colorado;

extended to include all of Delta County, and all that part of northwest Gunnison County north of Colorado State Highway No. 135, bounded on the east generally by the Crystal River, due south therefrom to State Highway No. 135.

PERMIT NO. B-5654:

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, Colorado, to Olin Bruton and Son's bulk stations and filling stations, located in Delta and Montrose Counties, Colorado;

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, 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.

Orville Dunlap is the owner of common carrier Certificates Nos. 1861, 876, and 1204, and Permits N s. B-4910 and B-6292.

Orville Dunlap, pursuant to the terms of his contract with John Doyle, is purchasing all of Doyle's authorities, together with eight (8) tractors and seven (7) trailers. The contract provides for annual payments, but no authority is requested of the Commission to Mortgage either the permits or the certificates.

Dunlap is an experienced operator having substantial financial responsibility and well capable of operating these authorities.

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, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That John Doyle, doing business as "John Doyle Truck Line," Delta, Colorado, be, and is hereby, authorized to transfer all right, title and interest in and to PUC No. 1346, PUC No. 1346-I, and Permit No. B-5654 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Harold Ross Dunlap and Orville Dunlap, doing business as "Orville Dunlap & Son," Montrose, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfers shall become effective only if and when, but not before, said transferor and transferees, in writing, have advised the Commission that said certificates and 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 transfers, 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 transferees until changed according to law and the rules and regulations of this Commission.


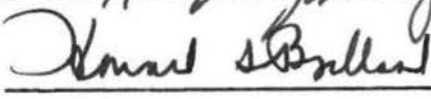
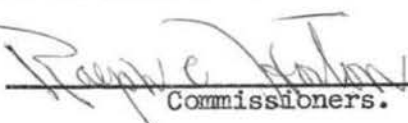
The right of transferees to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificates up to the time of transfer of said certificates.

The right of transferees to operate under this Order shall depend upon their compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering 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 22nd day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILLARD RANDOLPH AND SILVEN RANDOLPH,)
NUCLA, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 19261

January 22, 1963

S T A T E M E N T

By the Commission:

By the instant application, applicants seek a certificate of public convenience and necessity to operate as a common carrier by motor vehicle in the transportation of passengers and their baggage, between points within a twelve-mile radius of Nucla, Colorado, and from points within said twelve mile radius of Nucla, Colorado, to points within the Counties of Mesa, Montrose, Delta, San Miguel, Montezuma, and Dolores, State of Colorado, applicants to have the right to perform a round-trip service, but not to be permitted to originate service out of said twelve-mile radius of Nucla, Colorado.

This matter having been called for hearing in the District Court, Montrose, Colorado, the applicant, through his Attorney, Philip F. Icke, Ouray, Colorado, filed his request that the application be dismissed.

F I N D I N G S

THE COMMISSION FINDS:

The Commission, being fully advised in the premises, is of the opinion and finds that the request should be granted.

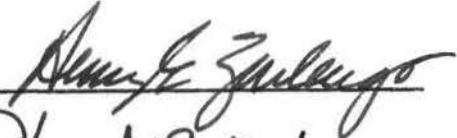
O R D E R

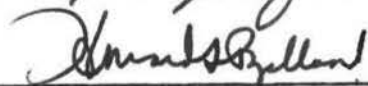
THE COMMISSION ORDERS:


That the above-styled application be, and the same is hereby, dismissed, at request of applicant.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners.

Dated at Denver, Colorado,
this 22nd day of January, 1963.

mls

IN THE MATTER OF THE PETITION OF)
WESTERN POWER & GAS COMPANY, A)
CORPORATION, 115 WEST SECOND STREET,)
PUEBLO, COLORADO, FOR AUTHORITY TO)
ISSUE AND SELL UP TO \$9,000,000)
AGGREGATE PRINCIPAL AMOUNT OF)
CONVERTIBLE SUBORDINATED DEBENTURES)
AND TO ISSUE THE COMMON SHARES INTO)
WHICH SUCH DEBENTURES ARE TO BE)
CONVERTIBLE.)

APPLICATION NO. 19589
Securities

S T A T E M E N T

By the Commission:


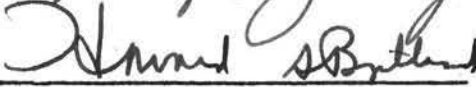
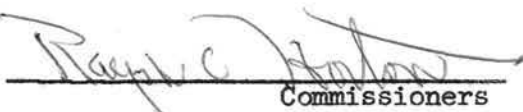
Upon consideration of the application of Western Power
& Gas Company, a corporation, in the above styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on February 1,
1963, at 10:00 o'clock A. M., 502-D State Services Building, Denver,
Colorado, respecting the matters involved and issues presented in the pro-
ceeding. 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 proceeding. Intervention petitions should be filed with the Commission
on or before January 25, 1963, and should set forth the grounds of the pro-
posed 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




Commissioners

Dated at Denver, Colorado,
this 21st day of January, 1963.

original

(Decision No. 59986)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
W. R. STEWART, DOING BUSINESS AS)
"WESTCLIFFE MILK PRODUCTS," WEST-)
CLIFFE, COLORADO, FOR AUTHORITY TO) APPLICATION NO. 19545-PP-Extension
EXTEND OPERATIONS UNDER PERMIT NO.)
B-4336.)

January 23, 1963

Appearances: W. R. Stewart, Westcliffe,
Colorado, pro se;
Robert D. Means, Esq., Den-
ver, Colorado, for Pueblo
Milk Transport, Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

The applicant is the owner of Private Carrier Permit No. B-4336, which authorizes operation as a private carrier by motor vehicle for hire, and by the instant application, seeks to extend and enlarge such permit to authorize the transportation of milk, in bulk, from and to points within a radius of ten miles of Wetmore, Colorado.

The application was set for hearing on January 8, 1963, at ten o'clock A. M., at the County Office Building, Colorado Springs, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That at the commencement of the hearing, Applicant moved to dismiss the instant matter, and there being no protest to said motion,

the same was allowed.

The Commission is of the opinion and finds that the instant application should be dismissed at request of applicant.

O R D E R

THE COMMISSION ORDERS:

That the instant application be, and the same hereby is, dismissed at the request of applicant.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners.

Dated at Denver, Colorado,
this 23rd day of January, 1963.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BRUCE DAVIS AND JOHN TRIANTOS, DO-)
ING BUSINESS AS "BRUCE'S WRECKING)
YARD," 620 BRIDGE STREET, DELTA,)
COLORADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 19516-PP
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

IN THE MATTER OF THE APPLICATION OF)
JOHN TRIANTOS, DOING BUSINESS AS)
"BRUCE'S WRECKING YARD," 620 BRIDGE)
STREET, DELTA, COLORADO, FOR A CLASS) APPLICATION NO. 19516-PP-Amended
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

January 23, 1963

Appearances: John Triantos, Delta, Colo-
rado, pro se;
Orville Dunlap, Montrose,
Colorado, for Orville Dun-
lap & Son.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks authority to engage in 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 home 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 ra-

dius of 100 miles of said pits and supply points; transportation of road-surfacing materials restricted against the use of tank vehicles; logs, poles, and rough lumber from forests and sawmills to sawmills, railroad loading points and storage within a radius of 100 miles of said forests; farm produce, excluding livestock, from point to point within a radius of 100 miles of Delta, Colorado.

The application was set for hearing on December 20, 1962, at 9:30 o'clock A. M., in the Court House, Montrose, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner states and finds:

That at the commencement of the hearing, it was moved that the application as filed be amended by showing the applicant to be John Triantos, doing business as "Bruce's Wrecking Yard;" that the commodity, rough lumber, be excluded, and that the transportation of hay be restricted to Delta and a ten mile radius.

That all parties appearing at the hearing agreed to said amendments, and protestant withdrew its protest to the granting of the instant application.

That there is a need for the proposed transportation services; that the applicant will have sufficient equipment and experience to properly carry on the proposed operation; and, that the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority as provided in the following Order will be in the public interest and such authority should be granted.

ORDER

THE COMMISSION ORDERS:

That John Triantos, doing business as "Bruce's Wrecking Yard," Delta, Colorado, 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 home 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 against the use of tank vehicles; logs and poles, from forests and sawmills, to sawmills, railroad loading points and places of storage; and farm produce, excluding livestock, from point to point within a radius of 100 miles of Delta, Colorado, provided, however, that transportation of hay be limited to Delta and a 10 mile radius thereof.

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

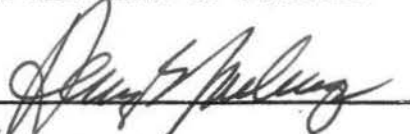
That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

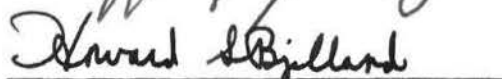
That the right of applicant to operate hereunder shall de-

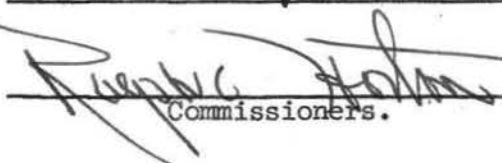
pend upon his compliance with all present and future laws and rules and regulations of the Commission.

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 23rd day of January, 1963.

mls

original

(Decision No. 59988)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE W. LYBARGER, 1428 MAIN STREET,)
LOUISVILLE, COLORADO, FOR A CLASS)
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 19458-PP

January 23, 1963

Appearances: Dick Hansen, Esq., Boulder,
Colorado, for Applicant.

STATEMENT AND FINDINGS OF FACT

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 home 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 restricted against the use of tank vehicles; coal, from the northern Colorado coal fields, to Louisville, Colorado, and points within a radius of ten miles thereof.

The application was set for hearing on January 7, 1963, at 9:30 o'clock A. M., in the Hearing Room of the Commission, 532 State

Services Building, Denver, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services; that the applicant will have sufficient equipment and experience to properly carry on the proposed operation; and, that the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority as provided in the following Order will be in the public interest and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That George W. Lybarger, Louisville, Colorado, 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 home 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 vehicles; coal, from the Northern Colorado coal fields, to Louisville, Colorado, and points within a radius of ten miles thereof.

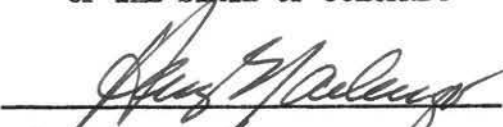

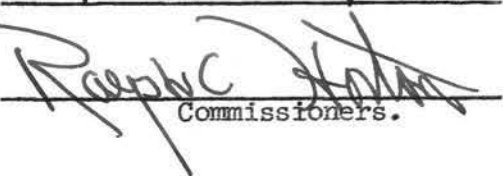
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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




Commissioners.

Dated at Denver, Colorado,
this 23rd day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
NORTHWEST UTILITIES COMPANY AND)
WESTERN HILLS UTILITY COMPANY TO)
MERGE INTO ONE COMPANY, THE SURVIVOR)
OF WHICH WILL BE NORTHWEST UTILITIES)
COMPANY, AND TO TRANSFER THE CERTIFI-)
CATES OF PUBLIC CONVENIENCE AND NE-)
CESSITY HELD BY WESTERN HILLS UTILITY)
COMPANY TO THE SURVIVING CORPORATION,)
NORTHWEST UTILITIES COMPANY.)

APPLICATION NO. 19559-Transfer

January 22, 1963

Appearances: John R. Barry, Esq., Denver,
Colorado, for Applicants;
E. R. Thompson, Denver, Colo-
rado, and
J. M. McNulty, Denver, Colo-
rado, for the Commission
Staff.

S T A T E M E N T

By the Commission:

The above-entitled application was filed with the Commission on January 3, 1963. After due notice to all interested parties, the matter was set for hearing by the Commission on January 14, 1963, at ten o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. At said time and place, the application was duly heard by the Commission, and after the conclusion of the hearing, 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 authority sought by the Applicants in this matter.

Northwest Utilities Company is a public utility under the laws of the State of Colorado, and under the jurisdiction of this Commission, rendering water and sewage disposal service. It serves the City of

Thornton for which it has a franchise. Furthermore, it serves territory contiguous and adjacent to the City of Thornton as well as unincorporated areas north and west of the City of Thornton, all pursuant to the certificates of public convenience and necessity issued by this Commission. Northwest Utilities Company owns water treatment facilities, storage reservoirs, and a distribution system. It also owns and operates a sewage collection system and treatment plant.

Northwest Utilities Company has operated as a wholly owned subsidiary of General Waterworks Corporation for eight years past. Its Articles of Incorporation are a part of the record herein.

Western Hills Utility Company is a public utility under the laws of the State of Colorado and is under the jurisdiction of this Commission rendering water and sewage disposal service. Western Hills Utility Company serves an unincorporated area generally west and southwest of that served by Northwest Utilities Company, pursuant to certificate of public convenience and necessity issued by this Commission. Western has water treatment facilities, storage reservoir and distribution facilities. It also has a sewage collection system.

This company is also a wholly owned subsidiary of General Waterworks Corporation.

The above two utilities have entered into an "Agreement and Plan of Merger" and a conformed copy of said agreement has been filed herein as Exhibit A-1. Also, filed as Exhibit A, is a certificate from the office of the Secretary of State of the State of Colorado of the "Certificate of Merger" of Western Hills Utility Company into Northwest Utilities Company, dated as of January 11, 1963. The plan of the merger provides, among other things, that Northwest will be the surviving corporation and will assume all of the duties, obligations and liabilities of Western Hills Utility Company. It will also assume all of the assets and the certificates of public convenience and neces-

sity heretofore issued to Western Hills by this Commission. The merger will be treated for accounting purposes as a "pooling of interests" by Northwest with the result that, on the balance sheet of the surviving corporation, the assets and liabilities of Western will be carried in the amounts at which they were carried on the books of Western, subject to such accounting principles, and in accordance with the Uniform System of Accounts prescribed by this Commission.

Northwest has an authorized capital of \$50,000 divided into 1,000 shares of common stock at a par value of \$50 per share, of which 200 shares are presently issued and outstanding. Western has an authorized capital of \$50,000 divided into 1,000 shares of capital stock at a par value of \$50 per share, of which 716 shares are presently issued and outstanding. The manner and basis of converging shares of the capital stock of Western into Northwest is as follows:

Each share of a common stock of Northwest issued and outstanding on the effective date of the merger shall respectively continue to be a share of the common stock of the surviving corporation (Northwest).

Each share of the capital stock of Western issued and outstanding on the effective date of the merger and all rights in respect thereto shall forthwith be changed and converted into shares of common stock of the surviving corporation (Northwest), upon the basis of one (1) share of common stock of the surviving corporation for each one (1) share of the capital stock of Western.

Initially these two companies served areas for water and sewer service which were widely separated and were independent of each other both as to service territory and physical plant. Subsequent to the time that General Waterworks Corporation became the parent of both of these companies, and the building of several subdivisions in the area, their operations have tended toward merger. According to the testimony

at the hearing, these companies have certain facilities in common. A 30" outfall sewer line and lift station is used by both utilities to transport sewage from the respective areas to a sewage disposal plant owned and operated by Northwest. The water system, at the present time, is not interconnected, but it is anticipated that it will be either in 1963 or 1964. There are other common facilities between the two companies, such as office buildings, business machines and mobile equipment. The employees also divide time between the two companies.

Mr. Samuel J. Joseph, Vice President of both companies, testified that there would be advantages if the merger is consummated that would be of benefit to customers of both companies. As of November 1962, these two companies served a total of 7,522 customers. After merger, certain inter-company accounting can be eliminated, filing of duplicate reports discontinued, the keeping of time sheets and expenses between the two companies will no longer be necessary. If the water system is interconnected, further savings can be had by combining the operation of filtration plants with the possibility of closing down a part of the facilities during the slack season thereby eliminating certain operating expenses. More flexibility in the operation of the water system can be had which will be beneficial to all concerned.

The two companies now have separate and distinct water rates and it is the intention of Northwest, as the surviving corporation, to serve the customers of Western Hills under the Northwest rate of water which will mean a saving to the Western Hills customers. The residential sewer rates are the same in both areas so no change is contemplated for this class of service. However, Western's commercial customers will receive the Northwest commercial sewer rate, which, in turn, will be a reduction. The witness requested ninety (90) days within which to file the revised rates so that there will be sufficient time to take care of the other corporate matters as a result of the merger. Northwest will

also assume all of the contract obligations and extension policy contracts of Western Hills presently on file with the Commission. Our Order to follow will require that Northwest file the journal entries which it proposes to make on the books of Northwest as a result of the merger.

Exhibit B and C, introduced at the hearing, are copies of the Consent of Shareholders of Western Hills Utility Company to Merger and Northwest Utilities Company, respectively.

Exhibits D and E are the Proposal and Consent of Directors of Northwest Utilities Company to Merger and Western Hills Utility Company, respectively.

General Waterworks Corporation, the parent company, has been operating public utilities in numerous states throughout the United States and has sufficient financial resources to continue to provide water and sewer service in the entire area covered by the merger. At some later date, it is the intention of Northwest to consolidate its existing certificates of public convenience and necessity with those to be acquired herein from Western into the one overall certificate covering the area which it presently serves and such additional territory as it can feasibly and financially serve.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of the subject matter of the instant application and of the Applicants, Northwest Utilities Company and Western Hills Utility Company.

That the Commission is fully advised in the premises.

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

That the proposed merger of Western Hills Utility Company into Northwest Utilities Company as a surviving and continuing corporation to be governed by the laws of the State of Colorado, in accordance with the

terms and provisions of the "Agreement and Plan of Merger" between the parties, received in evidence as Exhibit A-1, is consistent with the public interest and should be approved.

That public convenience and necessity require and will require, upon the effective date of the merger and acquisition by Northwest Utilities Company of all of the property, real and personal, and all rights, privileges, powers and certificates of public convenience and necessity and all and every interest of Western Hills Utility Company, subject to all restrictions, duties, disabilities, debts and liabilities of Western Hills Utility Company, the operation by Northwest Utilities Company of all said property, rights, privileges, powers and certificates of public convenience and necessity and the exercise by Northwest Utilities Company of all rights and certificates of public convenience and necessity heretofore granted by this Commission to Western Hills Utility Company; and the Commission should authorize and approve as of the effective date of the merger, the assignment and transfer by Western Hills Utility Company to Northwest Utilities Company of all rights and certificates of public convenience heretofore granted by the Commission to Western Hills Utility Company, and now held by said Company, as hereinafter set forth, and the exercise by Northwest Utilities Company of all such rights and certificates of public convenience and necessity.

O R D E R

THE COMMISSION ORDERS:

That the merger of Western Hills Utility Company into Northwest Utilities Company, as the surviving and continuing corporation, to be governed by the laws of the State of Colorado, in accordance with the terms and provisions of the "Agreement and Plan of Merger" between Northwest Utilities Company and Western Hills Utility Company, a copy of which was received in evidence as Exhibit A-1 at the hearing, be, and the same is hereby, approved.

That the transfer and assignment by Western Hills Utility Company to Northwest Utilities Company of the following rights and certificates of public convenience and necessity heretofore granted to Western Hills Utility Company by the following Commission decisions, and the exercise of such rights and certificates of public convenience and necessity by Northwest Utilities Company, is hereby authorized and approved effective upon the date of the merger:

Decision No. 43177, dated August 20, 1954,
in Application No. 12946;

Decision No. 43856, dated December 29, 1954,
in Application No. 12946;

Decision No. 45026, dated December 21, 1955,
in Application No. 12946;

Decision No. 44291, dated June 3, 1955, in
Application No. 13366;

Decision No. 47787, dated April 22, 1957, in
Application No. 15304;

Decision No. 49861, dated March 18, 1958, in
Application No. 16087, Ext.;

Decision No. 52499, dated June 17, 1959, in
Application No. 16916;

Decision No. 57183, dated September 19, 1961,
in Application No. 18254-Ext.;

Decision No. 57183, dated September 19, 1961,
in Application No. 18255;

Decision No. 57184, dated September 19, 1961,
in Application No. 18665;

together with all other rights and certificates of public convenience and necessity, if any, heretofore granted by the Commission to Western Hills Utility Company not specifically enumerated above.

That within twenty-one (21) days of the effective date of the Order herein, Northwest Utilities Company shall adopt the rates, rules and regulations of Western Hills Utility Company on file with this Commission, in accordance with Rule 23 of the Rules of Practice and Procedure promulgated by this Commission.

That prior to May 1, 1963, Northwest Utilities Company shall

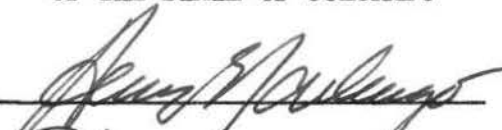


cancel the rates of Western Hills Utility Company and so amend the tariffs of Northwest Utilities Company, both water and sewer, to provide that the rates of Northwest Utilities Company shall apply to all existing customers of the merged company.

That prior to May 1, 1963, Northwest shall file with this Commission the journal entries placed upon the books of Northwest as a result of the merger.

That the Commission shall retain jurisdiction of this matter to make such further Order or Orders, in the premises, as it may seem proper and desirable.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 22nd day of January, 1963.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT G. DURHAM, EDWARD KADAR,)
FRANK R. ROSS, WILLIAM J. CUNNINGHAM,)
AND JOHN J. KILLAM, ON BEHALF OF)
THEMSELVES AND OTHERS SIMILARLY)
SITUATED, FOR AN ORDER AUTHORIZING)
PUBLIC SERVICE COMPANY OF COLORADO)
TO RENDER STREET LIGHTING SERVICE,)
PURSUANT TO PUC TARIFF NO. 4, SEVENTH)
REVISED SHEET 262, AND SECOND RE-)
VISED SHEET 262A, IN AN UNINCORPO-)
RATED AREA IN ADAMS COUNTY, COLORADO.)

APPLICATION NO. 19481

January 23, 1963

Appearances: Robert G. Durham, Denver,
Colorado, pro se, and on
behalf of the other
signers of the Applica-
tion;
Donald D. Cawelti, Esq., Den-
ver, Colorado, for Public
Service Company of Colorado;
Paul M. Brown, Denver, Colo-
rado, for the Staff of the
Commission.

S T A T E M E N T

By the Commission:

This is an application by Robert G. Durham and four other
persons representing themselves and all other homeowners similarly
situated for an order authorizing Public Service Company of Colorado
to install, operate and maintain street lighting service in an unin-
corporated subdivision known as Panoramic Heights, more particularly
described later.

The matter was set for hearing and was heard, after due
notice to interested parties, on Thursday, January 10, 1963, at ten
o'clock A. M., in the Hearing Room of the Commission, 532 State Ser-
vices Building, Denver, Colorado.

No petitions of intervention were filed prior to the hearing. One resident of the area, Richard Jones, appeared at the hearing in opposition to the application.

The area with which this application is concerned lies between 80th Avenue and Highway 382 (Boulder-Denver Turnpike) and includes Zuni Street on the east extending to the east rear lot line of properties fronting on Federal Boulevard. The area is depicted on Exhibit A attached to the application and Exhibit 1 admitted into evidence at the hearing.

The principal spokesman for the Applicants was Robert G. Durham who described the circulation of the petition in the area and the general need for street lighting service. Others of the applicants testifying in favor of the granting of the application were Edward Kadar and Frank R. Ross. Also appearing at the hearing in support of the application were other residents and homeowners of the area.

The area contains 475 homes and is fully developed, including church and school sites. The petition circulated in the area contained the signatures of 440 residents and was admitted into evidence as Exhibit 2. A conformed counterpart of the petition was later substituted for it as the Exhibit.

The tariff of Public Service Company of Colorado providing for street lighting in unincorporated areas states, among other things, that in an established unincorporated area, otherwise qualifying street lighting will be provided upon receipt by the Company of a petition signed by 100% of electric customers within the area to be served, or upon an order or decision of this Commission directing such street lighting to be established in the area. Inasmuch as signatures were not obtained from 100% of the residents in the area, this application was made for an order of the Commission directing such street lighting service. The testimony indicated that all but 5.8% of the persons con-

tacted with respect to the petitions for street lighting signed such petitions requesting such street lighting.

Mr. Robert G. Durham, speaking for the Applicants, testified that no street lighting now exists in the area contemplated in the application. He pointed out that such police protection as was available was provided by the Adams County Sheriff's office and that there had been numerous incidents of theft and vandalism which might have been reduced or even prevented by adequate street lighting. He also emphasized that street lighting was important to traffic safety in the area, and to women and children who had occasion to be out-of-doors during the night-time hours.

Mr. Durham's testimony was corroborated and expanded upon by Mr. Edward Kadar and Mr. Frank R. Ross, who gave further details concerned with the circulation of the petitions in the area.

Also appearing on behalf of the application was the Minister of the local church in the area who indicated he was speaking on behalf of the governing board of the church.

The protesting witness, Mr. Richard Jones, of 7995 Robin Lane, testified that he objected to street lighting of the intensity proposed, and that he would prefer "curb lights" which he believed would tend to preserve the residential character of the area. He conceded that his objection was principally on aesthetic grounds, and that he was not objecting to the cost to the customer for street lighting service.

Mr. J. H. Ranniger appeared as witness on behalf of Public Service Company of Colorado, and testified that the area met all of the requirements of the tariff conditions for unincorporated area street lightning, except that 100% of the residents had not signed for such service. He stated that the Company, upon order of this Commission, is ready, willing and able to install street lighting in the area; that preliminary design work had been accomplished for the in-

stallation of approximately 67 lights at an initial cost of \$12,273; and that approximately six weeks would be required to make the lighting system operational. The lighting would consist of seven thousand lumen mercury vapor non-ornamental lights, and such service would be furnished in accordance with tariff sheets, 7th Revised 262 and 2nd Revised 262A of Public Service Company Tariff, Colo. P.U.C. No. 4 Electric.

F I N D I N G S

THE COMMISSION FINDS:

That it has jurisdiction of the subject matter of this application and of the Public Service Company of Colorado.

That the preservation of the public peace, health and safety require the installation of a street lighting system in the area described in the Order to follow.

O R D E R

THE COMMISSION ORDERS:

That Public Service Company of Colorado is hereby authorized and directed to install, operate and maintain a non-ornamental, seven thousand lumen mercury vapor street lighting system in accordance with the provisions of its Tariff, Colorado P.U.C. No. 4, Electric, Seventh Revised Sheet 262 and Second Revised Sheet 262A, now existing or as it may be changed under the rules of this Commission, or according to law.

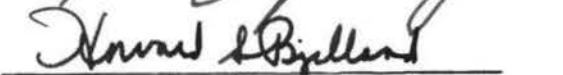
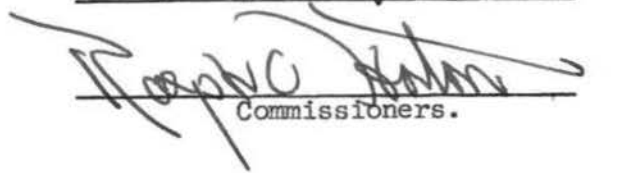
That street lights, approximately 67 in number, shall be installed in the area bounded as follows:

Beginning at West 80th Avenue and Zuni Street; thence easterly to the east rear lot lines of properties facing Zuni Street; thence southerly along said rear lot lines to a point south of Westchester Drive extended; thence westerly along the south lot lines of properties facing Westchester Drive for approximately 3 lots; thence southerly along the east lot lines of property facing Heather Place, approximately five lots; thence northwesterly along the southerly rear lot lines of properties facing Elmwood Lane to the intersection with the west

rear lot lines of properties also facing Elmwood Lane; thence northerly along said rear lot lines to the intersection with the south rear lot line of properties facing Cottonwood Drive; thence westerly along said lot line to the west rear lot line, extended, of properties facing Robin Lane; thence northerly along said rear lot line to the intersection with West 80th Avenue; thence easterly along West 80th Avenue to the point of beginning.

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 23rd day of January, 1963.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CARL A. BURTIS, HAROLD B. HARTMAN,)
AND MARIELLA HARTMAN, DOING BUSINESS)
AS "BURTIS BROTHERS AND HARTMAN)
BROTHERS," 531 MAIN STREET, MONTROSE,)
COLORADO, FOR AUTHORITY TO EXTEND)
OPERATIONS UNDER PERMIT NO. A-381.)

APPLICATION NO. 19343
Clarification and Extension

January 24, 1963

Appearances: John A. Hughes, Esq., Mont-
rose, Colorado, for Appli-
cant;
Royce Sickler, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc.

S T A T E M E N T

By the Commission:

This matter was heard at 10:00 A. M., on September 25, 1962,
in the District Court, at Montrose, Colorado.

This is an application for the clarification of Permit No.
A-381, and for its extension. Applicant herein is presently the owner
and operator of Permit No. A-381, authorizing transportation of:

freight Montrose to Denver via U. S. Highway
Nos. 50, 85, 285, and 24, and State Highway
No. 91, except that portion of U. S. Highway
No. 24 between Antero Junction and Colorado
Springs, without the right to serve interme-
diate points.

Said certificate-holder, in the extension application, seeks
authority to include the right to transport freight (general merchandise
for sale and retail and wholesale, and in particular meat products and
automobile products), Denver to Montrose, via U. S. Highway Nos. 50, 85,
285, 6 and 24, and State Highway No. 91, except that portion of U. S. 24
between Antero Junction and Colorado Springs, without the right to serve

intermediate points, in the event the Commission does not give a favorable interpretation of Authority A-381.

It is the position of the applicant that, prior to the acquisition of the permit by the present owners, the carriers operating under this authority handling freight both from Denver to Montrose and Montrose to Denver, and that it was the intention of the partners to do so when they acquired this authority on October 30, 1959; that since the date of the acquisition they have engaged in freight hauling both ways without objection, in good faith believing that this authority authorized this transportation; and that it was only recently that the exact wording of the authority was noted. In addition, the petitioners requested an extension of the authority to provide for the transportation of freight from Denver to Montrose.

The applicants are operating independent businesses aside from trucking. They formed a partnership solely for the purpose of acquiring an operating permit A-381 in their own business. This authority was acquired for shipments from Kansas City and Chicago that came into Denver and applicants transported the freight to Montrose.

One of the partners who was in the automobile business was using this authority to transport his inventory of supplies from Denver for his own business and to transport oil products. It is obvious that the transportation to date has been conducted primarily for the transportation of commodities utilized for the individual partners in their own businesses. Burtis, however, terminated his business operations on June 1st and he would no longer use the truck line for his own meat business. It has been used by a hardware retailer to transport merchandise from Denver to Montrose which provides the shipper with a rather personalized service although he had no complaint about the existing service of Rio Grande Motor Way. The applicants have also been used for the transportation of liquor for a retail liquor dealer. The testimony of this dealer indicated that the applicant rendered excellent service for

which the dealer believed there was a need. This dealer uses Rio Grande Motor Way and has used Ephraim for his shipments on occasion and also it was his testimony that service has been good. He did have breakage with Ephraim on one occasion and he preferred the personalized service rendered by the applicants.

In protest the Rio Grande Motor Way adduced testimony establishing that it had authority to conduct the type of operation sought herein and that it conducted daily schedules, five days a week and that it was fully capable of rendering the services sought.

It was obvious that no interpretation may be attached to the existing authority other than the plain, clear meaning of the language contained therein that the authority provides solely a one-way transportation of commodities from Montrose to Denver. This authority was used many years ago for the purpose of transporting flour from the Montrose Flour Milling Company to Denver. It has been transferred on numerous occasions with the clear language of the authority being quite evident to all parties and at no time prior to this has this issue of a two-way haul been raised. No evidence has been adduced that error has been made in the language of the authority when in truth and in fact it was the intentions of the Commission to grant a two-way hauling service. The only assertion of the applicant to sustain his contentions on the interpretation of this authority is that he be allowed to continue service from Denver to Montrose, consistently and in good faith. This can avail the applicant little since this contention is in the nature of the attempt to exercise a prescriptive right against the State which as a matter of law may not be done.

Thus it is the opinion of the Commission that the authority means precisely what it says, the transportation of freight from Montrose to Denver only without the right of back haul. The evidence adduced on behalf of applicant is insufficient in the opinion of the Commission to establish the need of an extension to this authority. Neither

of the shipper witnesses testified to more than the fact that the applicant in these two instances rendered a personalized service. The applicant did not petition for authority only to serve two customers, but for the right to engage in the transportation of freight from Denver to Montrose in unrestricted competition with an existing common carrier, who, it is conceded, is already satisfactorily rendering the type of service proposed. If the evidence of applicant's witness had established some need for a specialized private service normally rendered by a private (contract) carrier, there may be some justification for such an authority for limited customers only, but to attempt to establish an authority unconfined and vagrant in nature in the face of existing common carrier service by the testimony of several witnesses that the present existing service of the applicant, albeit illegal, is good, does not meet, in the opinion of the Commission, the standards of burden of proof required to sustain the application. The Commission therefore is of the opinion that the application for the extension is contrary to public interest and should be denied.

O R D E R

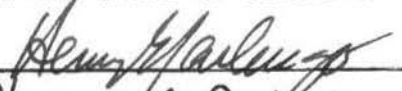
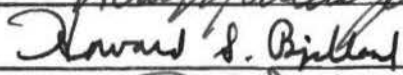

THE COMMISSION ORDERS:

That Permit No. A-381 provides for transportation of the commodities enumerated from Montrose to Denver only, without the right of back haul; and that the interpretation prayed for by the applicant be, and the same is hereby, denied.

It is further ordered by the Commission that the application for extension of authority be, and the same is hereby, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 24th day of January, 1963.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
V-Y TRUCK LINE, INC., P. O. BOX 43,)
CROOK, COLORADO, FOR AUTHORITY TO)
EXTEND OPERATIONS UNDER PERMITS NOS.)
B-1492 AND B-1492-I.)

APPLICATION NO. 19382-PP-Extension
SUPPLEMENTAL ORDER

January 24, 1963

Appearances: John P. Thompson, Esq., Den-
ver, Colorado, for Appli-
cant;
Melvin Diner, Esq., Greeley,
Colorado, for Livestock
Transport, Inc., Yockey
Trucking Company, Inc.;
Francis W. Jamison, Esq., Den-
ver, Colorado, for Lester E.
Smith, William Blankenbeckler.

S T A T E M E N T

By the Commission:

On September 18, 1962, V-Y Truck Line, Inc., Crook, Colorado,
owner and operator of Permits Nos. B-1492 and B-1492-I, filed applica-
tion with the Commission for authority to extend operations thereunder,
to include the right to transport:

livestock, only, from point to point within a
radius of twenty-five miles of Sterling, Colo-
rado, and from ranches and farms in said area,
to Greeley, Brush, Pueblo, and Denver, Colo-
rado, with no back-haul of anything other than
livestock from Denver, only.

Said application was subsequently set for hearing, heard and
taken under advisement.

On November 23, 1962, the Commission entered its Decision No.
59671, granting to applicant herein the right to extend operations under
said Permits Nos. B-1492 and B-1492-I, to include the right to transport:

"livestock, only, from point to point within a
radius of 25 miles of Sterling, Colorado, and

from said area, to Greeley, Brush, Pueblo, and Denver, with no back-haul of anything other than livestock from Denver, only."

On December 13, 1962, "Petition for Re-Hearing" was filed herein by Livestock Transport, Inc., Yockey Trucking Company, Inc., Lester E. Smith, and William Blankenbeckler, by their Attorneys, Jamison and Gummin, and Melvin Diner, which Petition for Rehearing was granted.

There is now on file with the Commission a stipulation of interested parties that the said Petition for Rehearing may be dismissed, in the event Decision No. 59671 be amended to grant authority as requested by applicant herein.

F I N D I N G S

THE COMMISSION FINDS:

That the parties have waived the right to appear and be heard on rehearing; that the record and files, as made in the original hearing on the application, should be made a part of the record on rehearing; that Decision 59671, of November 23, 1962, should be amended, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the records and files, as made in the original hearing on the application, be, and the same hereby are, made a part of the record on rehearing.

That Permits Nos. B-1492 and B-1492-I be, and hereby are, extended to include the right to transport livestock, only, from point to point within a radius of twenty-five miles of Sterling, Colorado, and from ranches and farms in said area, to Greeley, Brush, Pueblo, and Denver, Colorado, with no back-haul of anything other than livestock from Denver, 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





Commissioners.

COMMISSIONER HOWARD S. BJELLAND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 24th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
REX K. BOWEN, 1132 MANITOU AVENUE,)
COLORADO SPRINGS, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 19547-PP

January 24, 1963

Appearances: Rex K. Bowen, Colorado
Springs, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

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 home 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, transportation of road-surfacing materials restricted against the use of tank vehicles.

The application was set for hearing on January 8, 1963, at ten o'clock A. M., in the County Office Building, Colorado Springs, Colorado. The same was then and there heard by an Examiner duly desig-

nated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services; that the applicant will have sufficient equipment and experience to properly carry on the proposed operation; and, that the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority as provided in the following Order will be in the public interest and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Rex K. Bowen, Colorado Springs, Colorado, 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 home 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 against the use of tank vehicles.



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


Edward S. Billings

Rupert C. Holm
Commissioners.

Dated at Denver, Colorado,
this 24th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES M. KEUNE, c/o TEXACO STATION,)
OLATHE, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 19518-PP
Amended

January 24, 1963

Appearances: Charles M. Keune, Olathe,
Colorado, pro se;
Orville Dunlap, Montrose,
Colorado, for Orville
Dunlap & Son;
Dale Blumberg, Delta, Colo-
rado, for Dale's Transfer
& Storage.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks authority to engage in the transportation of farm produce, excluding livestock, from point to point within a radius of 50 miles of Delta, Colorado.

The application was set for hearing on December 20, 1963, at 9:30 o'clock A. M., at the Court House, Montrose, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner states and finds.

That at the commencement of the hearing applicant moved to amend the application to seek authority to transport farm produce, excluding livestock and hay, from point to point within a radius of fifty

miles of Delta, Colorado.

That in view of said amendment, the protestants withdrew their protest to the granting of the instant application as amended.

That there is a need for the proposed transportation services; that the applicant will have sufficient equipment and experience to properly carry on the proposed operation; and, that the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority as provided in the following Order will be in the public interest and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Charles M. Keune, Olathe, Colorado, be, and hereby is, granted authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of farm produce, excluding livestock and hay, from point to point within a radius of fifty miles of Delta, Colorado, and this Order is a permit therefor.


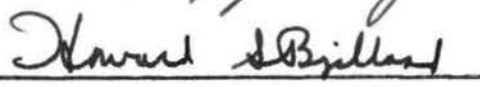
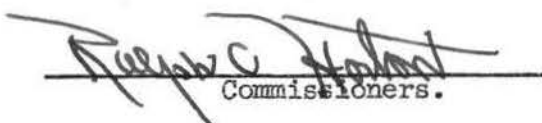
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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




Commissioners.

Dated at Denver, Colorado,
this 24th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
POUDRE VALLEY RURAL ELECTRIC ASSOCI-)
ATION, INC., A CORPORATION, 220 EAST)
OLIVE STREET, FORT COLLINS, COLORADO,) APPLICATION NO. 19561-Securities
FOR AN ORDER AUTHORIZING THE ISSUANCE)
OF SECURITIES AND THE APPLICATION OF)
THE PROCEEDS THEREFROM TO CERTAIN)
LAWFUL PURPOSES.)

January 24, 1963

Appearances: John A. Cross, Esq., Loveland,
Colorado, for Applicant;
Joseph F. Nigro, Esq., Denver,
Colorado, for the Commission.

S T A T E M E N T

By the Commission:

On January 9, 1963, Poudre Valley Rural Electric Association, Inc., (Association) filed with this Commission, an application for authority to issue a mortgage note to the United States of America, in the principal amount of \$1,329,000, maturing over a period of thirty-five (35) years and bearing interest at two percent (2%) per annum. It also asked the Commission to approve a supplemental mortgage as of the same date as the note for securing the note and to approve an amendment dated as of November 27, 1962, to Amending Loan Contract, dated as of May 26, 1952, as amended, and to authorize the Association to use the proceeds therefrom for specified purposes.

The matter was set for hearing after due notice to all interested parties on Monday, January 21, 1963, at ten o'clock A. M., in the Commission's Hearing Room, 532 State Services Building, Denver, Colorado, and at said time and place, the application was heard by the Commission and at the conclusion thereof, taken under advisement.

No protests were filed with the Commission with regard to this application, and no one appeared at the hearing in opposition to the granting of the authority sought.

Applicant is a Colorado corporation and is engaged in the business of purchasing, acquiring, accumulating, transmitting, distributing, furnishing and selling electric energy to its consumers in the Counties of Larimer, Boulder, and Weld, in the State of Colorado.

Until the effective date of House Bill No. 245, 43rd General Assembly, April 23, 1961, Applicant had not been under the jurisdiction of this Commission. Different from a number of other electric cooperatives, it had not acquired certificates of public convenience and necessity from former public utilities, nor has it been granted a full certificate of public convenience and necessity as of this date. On January 15, 1963, Applicant did file Application No. 19574 for a certificate of public convenience and necessity to operate as a public utility distributing electric energy in portions of Counties of Larimer, Weld, and Boulder, State of Colorado. Thus, this hearing is the first time that Applicant has appeared before the Commission seeking approval of its securities to be issued.

In accordance with the Rules of Practice of the Commission, Applicant filed with its application, a copy of its amended Articles of Incorporation, certified to by the Secretary of State of the State of Colorado. It also filed with its application, among other exhibits, its Balance Sheet as of November 30, 1962, and its Operating Statement for the eleven months ended November 30, 1962, as Exhibit K. Also, it filed financial statements with supporting schedules for the period July 1, 1961, to June 30, 1962, as prepared by its Certified Public Accountants, as Exhibit J.

Testimony at the hearing and records on file with the Commission revealed that Applicant has from time to time borrowed money from the United States of America through the Rural Electrification Adminis-

tration to finance the construction and rehabilitation of its electrical properties and for the construction of new electrical properties and facilities within the area it serves. In this instance, Applicant seeks authority to borrow from the United States of America \$1,329,000, which money is to be used namely for the following purposes:

Approximately 188 miles of distribution line to serve 553 consumers.....	\$ 492,105
New tie lines.....	16,800
Conversion and line changes in rural area.....	145,478
New substation near Red Feather Lakes, Colorado.....	60,000
Transformers, meters, service wires, sectionalizing equipment, regulators and engineering fees.....	372,954
Approximately 6 miles of 69 Kv transmission lines.....	68,792
Additional headquarters facilities and remodeling.....	<u>178,000</u>
TOTAL	\$1,334,129

Of this total, \$5,129 will be spent from funds available from previous loans approved by the Rural Electrification Administration.

Applicant's witness, Mr. James E. Campbell, Manager, Poudre Valley Rural Electric Association, Inc., testified that the above proposed construction expenditures were required for the extension and improvement of its properties in order to serve properly the present consumers and prospective consumers within its general service area. These expenditures are to be made over a period of about two years. Although approximately \$492,000 will be used to build 188 miles of distribution lines to serve 553 new consumers, the construction program generally is designed to strengthen the Association's electrical system to meet the continued growth in the area it serves. He stated that the loan had been approved by the Rural Electrification Administration subject to the

approval by this Commission.

Upon cross examination, Mr. Campbell stated that it was the intent of the Association to amend its Articles of Incorporation so that it will be authorized to serve the public generally rather than its members only. He also stated that it was not the intent of the Association to in any way delineate territory to be served by the inclusion of construction estimates to serve additional new consumers, but that such matters would be part of the application filed January 15, 1963, for a certificate of public convenience and necessity.

Also, upon cross examination, Mr. Campbell indicated that the Association's revenues exceeded its expenses by a considerable amount and that the funds generated from depreciation were more than adequate to service the debt. The financial statements filed by the Association indicate that the cooperative is in good financial condition. It is noted that the amount of equity in the business now amounts to approximately 23.3% of total capital.

From the evidence adduced at the hearing, it appears that the issuance of \$1,329,000 note by Poudre Valley Rural Electric Association, Inc., is not inconsistent with the public interest and should be authorized and approved.

F I N D I N G S

THE COMMISSION FINDS:

That Applicant, Poudre Valley Rural Electric Association, Inc., a Colorado corporation, is a public utility as defined by Section 115-1-3, Colorado Revised Statutes, 1953.

That this Commission has jurisdiction of said Applicant and the subject matter of the instant application.

That this Commission is fully advised in the premises.

That the foregoing Statement be, and it hereby is, adopted as a part of the Findings herein.

That the proposed issuance by Applicant of the mortgage note

as set forth in Exhibit H in the principal amount of \$1,329,000, and as introduced in the instant proceeding, should be authorized and approved.

That the execution of a supplemental mortgage for securing the payment of said note of \$1,329,000, substantially in the form of Exhibit F, and as introduced at the hearing, should be authorized and approved.

That the issuance by Applicant of the Amendment to the Amending Loan Contract, Exhibit G, as introduced at the hearing in the instant proceeding, should be authorized and approved.

That the proposed securities transaction is not inconsistent with the public interest; that the purpose or purposes thereof are permitted by and are consistent with the provisions of Chapter 115, Colorado Revised Statutes, 1953.

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

O R D E R

THE COMMISSION ORDERS:

That the Applicant, Poudre Valley Rural Electric Association, Inc., be, and it hereby is, authorized to issue a mortgage note in the principal amount of \$1,329,000, as set forth in Exhibit H and as introduced in the instant proceeding.

That Applicant be, and it hereby is, authorized to execute a supplemental mortgage securing the payment of said note for \$1,329,000 in substantially the same form as Exhibit F and as introduced in the instant proceeding.

That Applicant be, and it hereby is, authorized to enter into the Amendment to the Amending Loan Contract as set forth in Exhibit G and as introduced at the hearing in the instant proceeding.

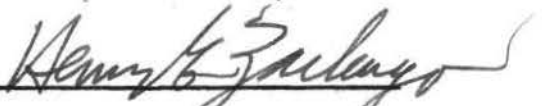
That within one hundred twenty days (120) of the execution of the instruments authorized herein, Applicant shall file one (1) conformed

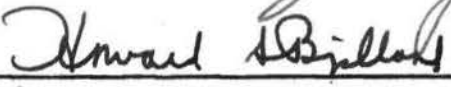
copy each of said instruments with the Commission.


That the Commission retains jurisdiction of these proceedings to the end that it may make such further Order or Orders in the premises as to it may seem proper and desirable.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners.

Dated at Denver, Colorado,
this 24th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FLORENTINO R. ORTIZ, ROUTE 2,)
ALAMOSA, COLORADO.)
)
)
-----)

PERMIT NO. M-7149

January 31, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Florentino R. Ortiz,
Alamosa, Colorado

requesting that Permit No. M-7149 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7149, heretofore issued to Florentino R. Ortiz,
Alamosa, Colorado be,

and the same is hereby, declared cancelled effective December 13, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Arnold S. Bjelland
Ralph Commissioners

Dated at Denver, Colorado,

this 31st day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

JUNIOR AIRCRAFT, INCORPORATED,
605 NORTH MAIN STREET, PUEBLO,
COLORADO.

PERMIT NO. M-8995

January 31, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Junior Aircraft,
Incorporated, Pueblo, Colorado
requesting that Permit No. M-8995 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8995, heretofore issued to Junior Aircraft,
Incorporated, Pueblo, Colorado be,
and the same is hereby, declared cancelled effective December 10, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zeilinger
Howard S. Bjelland
Commissioners

Dated at Denver, Colorado,

this 31st day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RAYMOND R. WILLIAMS, 1212 NORTH)
16TH, GRAND JUNCTION, COLORADO.)
-----)

PERMIT NO. M-9096

January 31, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Raymond R. Williams,
Grand Junction, Colorado

requesting that Permit No. M-9096 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9096, heretofore issued to Raymond R. Williams,
Grand Junction, Colorado be,
and the same is hereby, declared cancelled effective January 7, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zedler
Howard S. Bjelland
Ralph C. ...
Commissioners

Dated at Denver, Colorado,

this 31st day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SAN ANTONIO AND FARMERS DAIRIES)
(CO-PARTNERSHIP), P. O. BOX 9427,)
EL PASO, TEXAS.)
-----)

PERMIT NO. M-14055

January 31, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from San Antonio & Farmers
Dairies (Co-Partnership), El Paso, Texas

requesting that Permit No. M-14055 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14055, heretofore issued to San Antonio & Farmers
Dairies (Co-Partnership), El Paso, Texas be,
and the same is hereby, declared cancelled effective January 14, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Ziehlings
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 31st day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

OSCAR A. NEW, DOING BUSINESS AS,
"ROADWAY BAY SERVICE", P. O. BOX 297,
LA SALLE, COLORADO.

PERMIT NO. M-9675

January 31, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Oscar A. New, doing
business as, "Roadway Bay Service", La Salle, 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 Oscar A. New, doing business
as, "Roadway Bay Service", La Salle, Colorado be,
and the same is hereby, declared cancelled effective December 10, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaslavsky
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 31st day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

W. L. BEWLEY, ROUTE 3, WHITESBORO,)
TEXAS.)

PERMIT NO. M-3029

January 31, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from W. L. Bewley,
Whitesboro, Texas
requesting that Permit No. M-3029 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3029, heretofore issued to W. L. Bewley,
Whitesboro, Texas be,
and the same is hereby, declared cancelled effective January 16, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zuckers
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 31st day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ARTHUR N. BURDETTE, DOING BUSINESS AS,
"MILE HI NEON SIGN COMPANY", 15295
ARAPAHOE DRIVE, GOLDEN, COLORADO.
-----)

PERMIT NO. M-1656

January 31, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Arthur N. Burdette,
doing business as, "Mile Hi Neon Sign Company", Golden, Colorado
requesting that Permit No. M-1656 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1656, heretofore issued to Arthur N. Burdette, doing
business as, "Mile Hi Neon Sign Company", Golden, Colorado be,
and the same is hereby, declared cancelled effective January 10, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 31st day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LEWIS G. BARTO, DOING BUSINESS AS,)
"STURDEE-BILT-BLOCKS", P. O. BOX)
1898, GRAND JUNCTION, COLORADO.)
-----)

PERMIT NO. M-6993

January 31, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Lewis G. Barto, doing
business as, "Sturdee-Bilt-Blocks", Grand Junction, Colorado
requesting that Permit No. M-6993 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6993, heretofore issued to Lewis G. Barto, doing
business as, "Sturdee-Bilt-Blocks", Grand Junction, Colorado be,
and the same is hereby, declared cancelled effective December 14, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 31st day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
EZRA FARROW, 1859 LAFAYETTE STREET,)
DENVER 18, COLORADO.)
-----)

PERMIT NO. M-4685

January 31, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ezra Farrow,
Denver 18, Colorado
requesting that Permit No. M-4685 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4685, heretofore issued to Ezra Farrow,
Denver 18, Colorado be,
and the same is hereby, declared cancelled effective November 7, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Henry E. Zerkow
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 31st day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
LEADVILLE TRANSIT COMPANY, INC-)
ORPORATED, P. O. BOX 169)
SALIDA, COLORADO.)

PUC NO. 5348

January 31, 1963

S T A T E M E N T

By the Commission:

On July 18, 1962, the Commission authorized Leadville Transit Company, Inc., to suspend operations under their PUC No. 5348, until January 18, 1963.

The Commission is now in receipt of a communication from the above-named certificate-holder requesting that their PUC be reinstated.

F I N D I N G S

THE COMMISSION ORDERS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That PUC No. 5348, should be, and the same hereby is reinstated as of January 11, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 31st day of January, 1963.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE DEPARTMENT OF HIGHWAYS OF THE)
STATE OF COLORADO, 4201 EAST ARKAN-)
SAS AVENUE, DENVER, COLORADO, FOR)
AUTHORITY TO CONSTRUCT, IMPROVE, AND)
PROTECT THREE PUBLIC HIGHWAY CROSS-)
INGS IN THE VICINITY OF 16TH STREET)
AND 2ND AVENUE AND THE UNION PACIFIC)
RAILROAD COMPANY INDUSTRY SPUR TRACK)
EAST FROM MILE-POST 51, IN GREELEY,)
WELD COUNTY, COLORADO.)

APPLICATION NO. 19275

January 25, 1963

Appearances: Joseph M. Montano, Esq., Den-
ver, Colorado, for Applicant;
E. G. Knowles, Esq., Denver,
Colorado, for Union Pacific
Railroad Company;
Thomas A. Richardson, Esq.,
Greeley, Colorado, for City
of Greeley, Colorado.

S T A T E M E N T

By the Commission:

The above-entitled application was filed with the Commission on August 2, 1962, and was thereafter set to be heard in Greeley, Colorado, at the County Court House, on November 2, 1962. After appropriate notice to all interested parties, including the owners of adjacent property, the matter was there heard by Edwin R. Lundborg, as a duly appointed Examiner for the Commission. Evidence was received, testimony taken, and the files in the matter, together with the Examiner's Report and recommendations, were all submitted to the Commission, and the matter taken under advisement.

Purpose of the application is to secure Commission approval for the improvement of an existing public railroad grade crossing at 2nd Avenue and the further construction of two new grade crossings for an ad-

jacent new public highway over and across an industry spur track of Union Pacific Railroad as located along 16th Street in Greeley, Colorado. At the hearing, the following exhibits were offered and explained by Mr. E. L. King, of the Surveys and Plans Division, Colorado Department of Highways:

Exhibit No. 1:

Prepared testimony statement of Mr. King to more fully describe further details of the proposed work relating to: location, agreements, road and approvals, need, construction items and liability insurance, crossing protection, continuing maintenance provisions and estimate of construction costs.

Exhibit No. 2:

Facsimile copy of fully executed Agreement made on July 16, 1962, between Union Pacific Railroad Company and Colorado Department of Highways pertaining to proposed public grade crossings and installation of flashing-light signal devices.

Exhibit No. 3:

Sketch map and title page of State Highway plans to show location of instant crossing work in relation to Greeley by-pass highway construction project.

Exhibit No. 4:

Plan sheet to show details of new Highway Intersection at Station 170 plus, in relation to the existing rail line and intersection of 2nd Avenue at 16th Street in Greeley.

Exhibit No. 5:

Statement of estimated costs for material and labor to construct three crossings and improve trackage at Greeley by-pass location.

Exhibit No. 6:

Statement of estimated costs for material and labor to place six flashing light signals on three public grade crossings for the by-pass location at 2nd Avenue and 16th Street, Greeley, Colorado.

According to Mr. King, the instant application concerns the final phase of construction to build a new multilane expressway-type Urban Highway, bypassing the business district of the City of Greeley. This improvement provides for north-south traffic through Greeley to

leave the present highway (S. H. 3) approximately one mile north of the present North City Limits; thence overpass the Union Pacific Railroad Company's Mainline and meander southeasterly to intersect and generally follow 2nd Avenue; thence overpass the Union Pacific's Mainline at the South Side of the City of Greeley and connect with the present highway (S. H. 3) near the north limits of the Town of Evans. Initial construction proposal involving the above overpass structures was reviewed by this Commission in Application No. 18854 and approval, Decision No. 58081, was issued February 20, 1962. Work as proposed in this application relates to the establishment of three grade crossings at 16th Street and 2nd Avenue, in Greeley, where the new multilane facility crosses an industry spur track of Union Pacific, east from Milepost 51.

The Industry Spur involved herein extends easterly beyond the Greeley City Limits and primarily serves the Great Western Sugar Company plant; with additional spur connections to Koch Elevator for grain and bean movement and to livestock pens of Farr Farms. Normal switching movements consist of two trains daily, which may increase to as many as twenty movements per day during the daylight hours of the fall season. In addition to 2nd Avenue, there are other north-south streets that cross this industry track, since it is built along and forms a part of the paralleling 16th Street. In accordance with extensive public request and support, construction of the main bypass highway has been designed to divert a large volume of "through" traffic and thereby relieve the Greeley downtown district of considerable street congestion and interference with local movement. Some 4.1 miles of new highway will be built in this project at an estimated cost of \$1,081,389, exclusive of right-of-way costs.

In the Freeway Agreement of 1959 and 1960 between the Department of Highways and Weld County, extent and locations of access points to and from the new highway were established. In that regard, 16th

Street is a designated access point, where a direct street intersection will be provided, resulting also in the additional grade crossings by the new highway at the Union Pacific Industry Spur. According to Mr. King the present crossing on 2nd Avenue is to be rebuilt and two new crossings constructed for the divided arterial roadway. All crossings will then be protected by automatic flashing light signals. This requires a total of six signals. Crossing work, installation of signals and maintenance thereof, shall be performed by Union Pacific Railroad Company forces, in accordance with the agreement submitted herein (Exhibit No. 2). In view of the minor rail traffic at slow speeds over the city street crossings and open visibility of the Freeway, the construction of signalized crossings is proposed to provide ample safety for the railroad and public traffic. Additional work by State forces and the contractor includes installation of six reflectorized Advance Warning signs on the highway, and placement of channelizing barricades on 16th Street at the crossing intersection.

Upon completion of the Freeway project and in accordance with the above Agreement herein, Department of Highways will carry out all maintenance responsibilities relating to the highway and Union Pacific Railroad is to operate and maintain the crossings and signals. Estimate of costs for the crossing work and railroad signals is as follows:

	<u>Federal and State Funds</u>	<u>UPRR Co. Funds</u>	<u>Total</u>
3 pair - Flashing Lights	\$12,377	\$ 416	\$18,274
3 crossings (46' - 30' - 30')	5,175	- - -	5,175
Advance Warning Signs	<u>306</u>	<u>- - -</u>	<u>306</u>
TOTALS	\$17,858	\$ 416	\$18,274

Approvals for the proposed work have been granted by: Chief Engineer, Department of Highways; the Division Engineer, Bureau of Public Roads; the Weld County Board of County Commissioners; the Planning

Commission; the City Council and the Mayor of Greeley; and the appropriate officers of Union Pacific Railroad.

No other testimony was presented and no protest was submitted at the hearing.

F I N D I N G S

THE COMMISSION FINDS:

That it is informed in the instant matter and the foregoing Statement, by reference, is made a part of these Findings.

That the instant highway project is designed and is being requested in the interest of safety and convenience for benefit of the general public in the Greeley area.

That the application should be approved and authority be granted for construction of the proposed grade crossings and installation of flashing light signals on Union Pacific Industry Spur East from Mile Post 51 in Greeley, Colorado.

O R D E R

THE COMMISSION ORDERS:

That Applicant, the Department of Highways of the State of Colorado, be, and it hereby is, granted a certificate of public convenience and necessity to authorize and approve:

- (a) Improvement of an existing highway grade crossing at 2nd Street and installation of two flashing light signals;
- (b) Construction of two new highway-railroad grade crossings on the new Greeley Bypass route and installation of four flashing light signals;

all as located at Union Pacific Railroad Company's Industry Spur Track Stations 16+65 (2nd Avenue), 17+34 and 17+75 (Bypass), being east from Mainline Mile Post 51, Greeley, Colorado.

That additional signing protection consisting of standard reflectorized advance warning signs be placed by Department of Highways on the road and street approaches to the instant crossings.

That the installation and maintenance of the proposed cross-

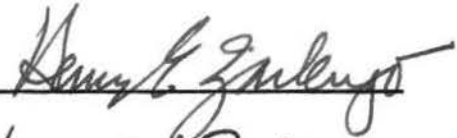
ing devices shall all be as indicated in the preceding Statement and Exhibits 1, 2, 3, 4, 5, and 6, all of which, by reference, are made a part hereof.

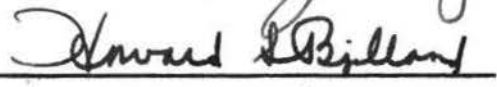
That the proposed signal devices and installation shall all be in conformance with the current Bulletin of the Association of American Railroads' Joint Committee on Railroad Protection.


That jurisdiction is retained by the Commission to make such additional Order or Orders herein as may be required in the future.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners.

Dated at Denver, Colorado,
this 25th day of January, 1963.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) TRI-CITY TRANSFER AND STORAGE, INC.,) A NEW MEXICO CORPORATION, 305 EAST) BROADWAY, FARMINGTON, NEW MEXICO,) FOR AUTHORITY TO LEASE AND TRANSFER) PUC NO. 4344 TO FRED MORTENSEN AND) CALLIE MORTENSEN, DOING BUSINESS AS) "TRI-CITY TRANSFER AND STORAGE,") 402 EAST NORTH, CORTEZ, COLORADO.) -----)	APPLICATION NO. 19533-Lease-Transfer
--	--------------------------------------

January 25, 1963

Appearances: Jones, Meiklejohn, Kilroy and
Kehl, Esqs., Denver, Colorado,
by Marion F. Jones, Esq.,
for Applicants.

S T A T E M E N T

By the Commission:

Heretofore, Tri-City Transfer and Storage, Inc., a New Mexico Corporation, of 305 East Broadway, Farmington, New Mexico, was granted a certificate of public convenience and necessity (PUC No. 4344) authorizing operations as a common carrier by motor vehicle for hire, for the transportation of:

general commodities between points in Cortez, Colorado; household goods and office furniture and equipment, between points within a radius of fifty miles of Cortez, Colorado, and from said area, to and from other points in the State of Colorado, save and except that no authority is granted to transport commodities between points now served by scheduled motor truck common carriers.

Said certificate-holder now seeks authority to lease said certificate and to sell said certificate to Fred Mortensen and Callie Mortensen, doing business as "Tri-City Transfer and Storage," 402 East North, Cortez, Colorado. The contract between the parties provides that the purchase price is Eleven Thousand Eight Hundred Fifty Dollars

(\$11,850.00), of which Two Thousand Five Hundred Dollars (\$2,500.00) was paid upon execution of the contract. The balance is to be paid monthly on the first day of each month, commencing June 1, 1962, and continued thereafter until paid in full, the unpaid principal bearing interest at the rate of six percent (6%) per annum. The contract further provides that the minimum monthly payments shall be in the amount of such interest, which payments shall constitute rental upon the property being transferred, the purchasers being entitled to pay any amount upon the principal as they wish. Upon completion of the payment of the balance due of the purchase price, title to the operating authority and to the operating equipment shall be conveyed to the transferees.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, December 28, 1962, at 11:00 o'clock A. M., due notice thereof being forwarded to all parties in interest.

Said hearing was held at the time and place designated in the Notice of Hearing.

Mr. W. F. Christensen appeared and testified in support of the application, stating that he is the President and owner of the transferor. That the corporation has entered into a contract, a copy of which is on file with the Commission, to sell said operating rights to Fred Mortensen and Callie Mortensen. That there are no debts outstanding against said certificate. Mr. Fred Mortensen appeared and testified that he and his wife, Callie Mortensen, are the transferees herein; that he has had many years experience in motor truck transportation; that Exhibit "A" is a true and correct statement of the balance sheet of the partnership; that Exhibit "B" is a copy of the contract entered into by he and his wife to purchase the property from the transferor; and, that the partners are familiar with and will abide by the rules and regulations of the Public Utilities Commission.

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

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

The Commission finds that the partnership is acquiring the equipment described in the agreement attached to the application and that the transferees herein have sufficient equipment, and are financially able to render and continue operations under PUC No. 4344; that there is no outstanding indebtedness against said operating right; that the lease and transfer herein sought is in the public interest, provided the lease shall not extend beyond ten (10) years.

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.

After reviewing the evidence adduced at the hearing, we find that the transferor herein is the owner and operator of PUC No. 4344; that transferees herein are qualified, financially and by experience, to continue operations under said operating rights, as lessees pending completion of the payment of the purchase price, and as owners upon the completion of such payment. That the proposed lease and transfer are 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 Tri-City Transfer and Storage, Inc., Farmington, New Mexico, be, and it hereby is, authorized to lease PUC No. 4344, together with the following described equipment, to-wit: 1953 International 2-Ton Van Truck, with Identification SD 2401 02036, and 1954 Ford 1/2 Ton Pick-up Truck, with Identification No. SLOU 4621823, to

Fred Mortensen and Callie Mortensen, doing business as "Tri-City Transfer and Storage," Cortez, Colorado, subject to the payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured. Such lease is to be for such period not to exceed ten (10) years, as may be required to pay the sum of Nine Thousand Three Hundred Fifty Dollars (\$9,350.00).

That Tri-City Transfer and Storage, Inc., be, and it hereby is, authorized to transfer all of its right, title, and interest in and to PUC No. 4344 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Fred Mortensen and Callie Mortensen, doing business as "Tri-City Transfer and Storage," subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective upon notification in writing to the Commission, over the signatures of transferor and transferees, that the purchase price of said certificate and trucking equipment has been paid in full.

That said lease and transfer shall become effective only if and when, but not before, said transferor and transferees, in writing have advised the Commission that said certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of 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 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

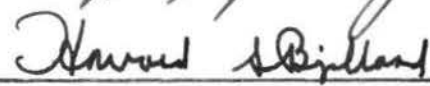
this Commission.


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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners.

Dated at Denver, Colorado,
this 25th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASE LABOR AND HOURLY)
CHARGES. TRANSPORTATION OF)
HOUSEHOLD GOODS - SOUTH SIDE)
MOVING AND STORAGE, INC.)

CASE NO. 1585

January 24, 1963

Appearances: Leslie R. Kehl, Esq., 526 Denham Building
Denver, Colorado for South Side Moving
and Storage, Inc.
A. J. Tait and S. J. Philippone for the
Staff of the Commission

S T A T E M E N T

BY THE COMMISSION:

By an application, numbered 191, filed on December 13, 1961 by the Colorado Motor Carriers' Association, as Agent, for and on behalf of South Side Moving & Storage, Inc., hereinafter at times called applicant, permission was requested to make the following increases in charges for the handling and transportation of household goods:

<u>Accessorial Services:</u>	<u>Present</u> (1)	<u>Proposed</u>
Labor charge - per man hour	\$2.50	\$4.00
Overtime Labor charge - per man hour	3.75	6.00
Hourly charge on shipments transported a distance of 30 miles or less when the origin or destination of the shipment is Metropolitan Denver, etc.	10.00	12.00

The matter was set for hearing at Denver, Colorado on January 25, 1962, said hearing being vacated at the request of attorney for the applicant on January 18, 1962. The matter was again set for hearing in Denver, Colorado on July 17, 1962 with due notice being given applicant.

(1) - Colorado Motor Carriers' Association, Agent, Tariff No. 14, Colo. PUC No. 13.

On July 13, 1962 the Commission, as provided by law, designated and appointed Edwin R. Lundborg, an employee of the Commission, as an Examiner to conduct the hearing in said matter. Hearing therein was held on July 17, 1962. Subsequent to the hearing, Examiner Edwin R. Lundborg, submitted a report of the proceeding to the Commission.

Applicant's president testified that his firm was the holder of Certificate No. 507 and that authority to transfer said certificate was pending before this Commission under Application No. 19211. Authority to transfer certificate No. 507 to Lind Moving and Storage Company, Inc. was authorized by Decision No. 58942, dated July 19, 1962. South Side Moving & Storage, Inc. local cartage tariff No. 6, Colo. P.U.C. No. 6 was adopted by Lind Moving and Storage Company, Inc. adoption notice, Colorado P.U.C. No. 1, effective July 23, 1962.

Three exhibits were entered in evidence in support of the proposed increased hourly charges. Two were testified to at the hearing with the third being a late filed exhibit.

The first exhibit set forth the labor cost for one man for one year based on an hourly wage of \$2.58 as follows:

40 man hours per week for 52 weeks @ \$2.58 per hr.	\$5,366.40
Health and Welfare, \$13.00 per month x 12	156.00
Pension Fund \$13.00 per man x 12	156.00
Compensation insurance	104.00
Total Cost per year	<u>\$5,782.40</u>

Annual hours worked - 40 hours x 50 = 2000 hours

Rate per hour \$5,782.40 ÷ 2000 = \$2.8912

No overhead factor to labor considered

No lost time considered.

The Second exhibit related to revenue and expenses for the year 1959 thru 1961, as follows:

	<u>1961</u>	<u>1960</u>	<u>1959</u>
Income from Freight Revenue	\$134,251.01	\$109,353.28	\$104,851.21
Total operating and Maintenance expenses	131,796.07	99,470.84	115,530.63

	<u>1961</u>	<u>1960</u>	<u>1959</u>
Net operating Income (Loss)	2,454.94	9,882.44	(10,679.42)
Operating Ratio - Per cent	98.17	90.96	110.18

The third exhibit, late filed, is an operating statement of the applicant for the period January 1, 1962 to May 31, 1962 showing the gross revenue, expenses and gross profit or loss, as follows:

Gross revenue	\$47,467.02
Expenses	<u>55,539.72</u>
Gross Profit or (Loss)	(8,072.70)

The operating ratio, not shown on the exhibit, for this period is 117 per cent.

Applicant's tariff, Colorado PUC No. 6, applicable within the Metropolitan area of Denver, except Arvada and Littleton; between points in the municipality of Denver, between points in the metropolitan area of Denver and points in the municipality of Denver, provides labor charges of \$4.00 per hour per man for extra men and \$12.00 per hour for vans engaged in household goods moving, including a driver and helper.

The record is without information as to the volume of business done in any given period, at the hourly rate of \$10.00 per hour for household goods transported thirty miles or less. It is silent as to the cost of handling such business. Applicant's president testified that the dollar volume was not too great and that the proposed rate was designed to take care of future traffic.

Upon this record we conclude that an increase in the hourly rate per man, when performing accessorial services, is necessary. We find that the regular hourly rate per man should be \$3.25 per hour which represents a 30 per cent increase over the present rate of \$2.50 per hour and that the overtime hourly rate should be \$4.90. We are unable to determine from the record whether the proposed rate of \$12.00 per hour is just and reasonable or what hourly rate would be just and reasonable and the request for the establishment thereof should be denied.

F I N D I N G S

THE COMMISSION FINDS, That:

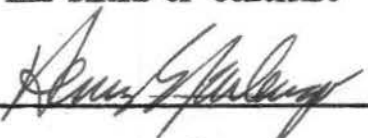
1. The rate of \$2.50 per man hour for regular time for the performance of accessorial services, should be increased to \$3.25.
2. The rate of \$3.75 per man hour, for overtime for the performance of accessorial service should be increased to \$4.90.
3. The rate of \$12.00 per hour for all shipments of household goods, etc. transported a distance of 30 miles or less has not been shown to be just and reasonable and otherwise lawful, and the establishment thereof should be denied.
4. The report of the Examiner in this matter should be approved.

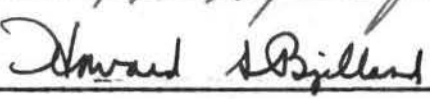
O R D E R

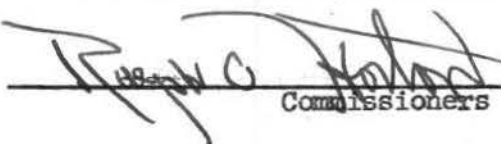
THE COMMISSION ORDERS, That:

1. The Statement and Findings herein be, and they are hereby, made a part hereof.
2. The increases as authorized in findings numbered one (1) and two (2) as above set out, shall become effective on or before February 15, 1963, upon notice to this Commission and the general public by not less than five (5) days' filing and posting in the manner prescribed by law and the rules and regulations of the Commission.
3. All other requested increases are denied.
4. This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado this
24th day of January, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE ITEM NO. 180, PARAGRAPH (4))
METHOD OF COMPUTING DISTANCES,)
COLORADO MOTOR CARRIERS' ASSOCIA-)
TION, AGENT, MOTOR FREIGHT TARIFF)
NO. 13, COLO. PUC NO. 12.)

INVESTIGATION AND SUSPENSION
DOCKET NO. 490

January 24, 1963

Appearances: Ernest Porter, Esq. 1531 Stout Street
Denver, Colorado for Rio Grande
Motor Way, Inc.

A. J. Tait and S. J. Philippone for
the Staff of the Commission

S T A T E M E N T

BY THE COMMISSION:

By schedules filed to become effective May 2, 1962, respondents, Motor Common Carriers parties to Colorado Motor Carriers' Association, Agent, Tariff No. 13, Colorado P.U.C. No. 12, proposed to amend Item 180, paragraph (4) thereto, by changing the method of computing highway distances from which distance rates and charges, for the transportation of heavy machinery, heavy or cumbersome commodities or parts, etc. as described in section I of said tariff, are determined. The charges, as proposed, result in increased rates and charges for the transportation of the commodities named in said tariff. Upon the Commission's own motion the operation of said schedules was suspended until August 30, 1962, Decision No. 58509, dated April 30, 1962. The matter was set for hearing after due notice to the respondents, on July 30, 1962, in the hearing room of the Commission, 532 State Services Building, Denver, Colorado.

On July 27, 1962, the Commission, as provided by law, designated and appointed Edwin R. Lundborg, an employee of the Commission, as an Examiner to conduct the hearing of said matter. Hearing thereon was held on July 30, 1962 and the matter taken under advisement.

By our Decision No. 59160, dated August 24, 1962, the operation of the suspended schedules was deferred to and including February 28, 1963.

Respondents proposed to amend Item 180, paragraph (4) of tariff 13, Colorado P.U.C. No. 12 to read as follows:

"Where due to flood conditions, conditions of bridges, snow or other weather conditions making roads impassable, or highway construction making roads impassable, it is impractical to operate the truck over highways forming the shortest distance between origin and the actual delivery site at destination, the most practical route over which the truck can be moved will be shown on the bill of lading and the distance via such route will be used to determine the rates."

The item as proposed eliminates the words "or ferries" immediately following the word "bridges" in the currently effective paragraph (4) and adds thereto immediately after "bridges" the further conditions of (1) "snow or other weather conditions making roads impassable, or (2) highway construction making roads impassable".

The traffic manager for respondent Rio Grande Motor Way, Inc. testified that under the present item it was necessary to compute rates over routes that were not negotiable, (1) in the winter months, when certain passes were closed and (2) at various times because of highways being partially closed by virtue of highway construction. This witness referred to Independence Pass on Colorado Highway No. 82 between junction of said highway and U. S. No. 24 (16 miles south of Leadville, Colorado) and Glenwood Springs, Colorado as being a pass that was closed to travel during the winter months. The elevation of this Pass is 12096 feet and according to the Colorado State Highway Map, for the year 1962, is not open to traffic in the winter months. The witness also stated that added truck miles were necessitated via Larson Transportation Co. as a consequence of the highway construction work on Rabbit Ears Pass. Trucks that were normally routed over Rabbit Ears Pass had to be routed via Gore Pass. It was further related by the witness that shipments moving from Minnequa or Pueblo, Colorado to a bridge site near Glenwood Springs were assessed rates and charges on the distance via Independence Pass, which was closed to

motor vehicle traffic, while the trucks actually moved via Leadville and Tennessee Pass over U. S. Highway 24.

On cross examination, respondent's witness stated that the Item, as amended, was not intended to work a hardship on a shipper or shippers utilizing respondent's services. This witness stated he would have no objection to a tariff provision giving a shipper the right to agree with the carrier as to whether or not a circuitous routing was to be utilized.

The proposed revision of Item 180, Paragraph (4) of said tariff has not been justified. The item should be amended, in the Examiner's opinion, by adding the following provisions:

A comma instead of a period after the word rate, and then adding, "providing the consignor, prior to the forwarding of his shipment or shipments consents, in writing, to the origin carrier's selected route for the movement of its truck or trucks. In the event the consignor directs the origin carrier, in writing, to forward said shipment or shipments, and the consignor and the origin carrier are unable to agree on the most practical route, the shipment or shipments shall be transported from origin to destination, over the proposed route of the origin carrier, with all applicable transportation charges being prepaid. The determination of the most practical route will be made by the Public Utilities Commission of the State of Colorado, informally or formally, if necessary, upon the filing of an application to do so, within 10 days, and not after, after the shipment or shipments are accepted for transportation, setting forth all pertinent facts referring specifically to this item and including copies of shipping documents and paid freight bill or bills issued in connection therewith. Transportation charges, as applicable, will be determined, and overcharges, if any, will be refunded upon the direction of the Commission to do so, either informally or formally, as the case may be."

The Commission after carefully reviewing all of the evidence and the Report of the Examiner, as presented in this matter, is of the opinion that the suspended schedules have not been justified. An order will be

entered requiring the cancellation of the suspended schedules and discontinuing this proceeding without prejudice to the filing of new schedules in conformity with the views expressed herein.

F I N D I N G S

THE COMMISSION FINDS, That:

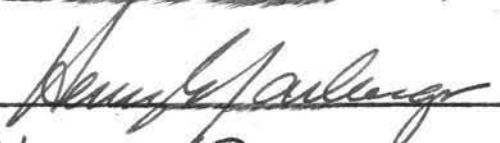
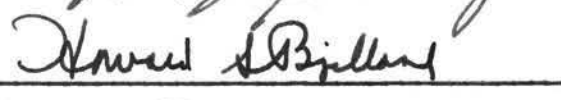

1. The suspended schedules have not been justified.
2. An order should be entered requiring the cancellation of said schedules as herein involved without prejudice to the filing of new schedules in conformity with the views expressed in the statement herein and discontinuing this proceeding.
3. The Report of the Examiner on this matter should be approved.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings herein be, and they are hereby, made a part hereof.
2. The respondent is hereby notified and required to cancel said schedules (Item 180, Paragraph (4), Colorado Motor Carriers' Association, Agent, Tariff No. 13, Colorado PUC No. 12) on or before February 15, 1963 upon notice to this Commission and the general public by not less than five (5) days' filing and posting in the manner prescribed by law and the rules and regulations of the Commission, without prejudice to the filing, upon not less than 10 days notice of new schedules in conformity with the findings herein and that this proceeding be discontinued.
3. This order shall become effective forthwith.

THE PUBLIC UTILITIES ~~COMMISSION~~
OF THE STATE OF ~~COLORADO~~




Commissioners

Dated at Denver, Colorado this
24th day of January, 1963.

jbw

Original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
MORRIS E. BROWN, 4847 WEST EXPOSI-
TION, DENVER, COLORADO, FOR A CLASS
"B" PERMIT TO OPERATE AS A PRIVATE
CARRIER BY MOTOR VEHICLE FOR HIRE. }

APPLICATION NO. 19564-PP

January 25, 1963

Appearances: Morris E. Brown, Denver,
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 seventy-five 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 home and small construction jobs within a radius of seventy-five 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 seventy-five miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of seventy-five miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at two o'clock P. M., in the Hearing Room of the Commission, 532 State Services Building,

Denver, Colorado, January 21, 1963, and at the conclusion of the evidence, the matter was taken under advisement.

The testimony established that applicant was the owner of a four ton truck and had a net worth of approximately \$5,000.00, consisting of interest in real estate and personal property.

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

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

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

F I N D I N G S

THE COMMISSION FINDS:

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 Morris E. Brown, Denver, Colorado, 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 seventy-five 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 home and small construction jobs within a radius of seventy-five 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 seventy-five miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of seventy-five miles of said pits and supply points, the transportation of road-surfacing materials being restricted against the use of tank vehicles.


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




Commissioners.

Dated at Denver, Colorado,
this 25th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF }
B. A. GINTHER, BOX 145, ROUTE 2, }
BRIGHTON, COLORADO, FOR A CLASS "B" }
PERMIT TO OPERATE AS A PRIVATE CAR- }
RIER BY MOTOR VEHICLE FOR HIRE. }

APPLICATION NO. 19567-PP

January 25, 1963

Appearances: Benjamin Ginther, Brighton,
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 baled hay, grain, and straw, from farms and ranches located east of a line drawn north and south parallel to the Continental Divide, at Leadville, Colorado, and north of a line drawn east and west parallel to the El Paso-Pueblo County lines, to feed lots, hay dealers, and dairies in Adams, Weld, and Denver Counties, Colorado, with no town-to-town service.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at two o'clock P. M., January 21, 1963, in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and at the conclusion of the evidence, the matter was taken under advisement.

The testimony introduced by Benjamin A. Ginther established that his son, the Applicant in this matter, is presently in the Hospital; that the Applicant has a net worth of approximately \$20,000, and is the owner of a semi-trailer, plus a two ton GMC truck.

The testimony further established that the dairy farmers in

the sections of Adams, Weld, and Denver Counties, specified in the application, were in need of this service proposed to be rendered by the Applicant.

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

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

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

F I N D I N G S

THE COMMISSION FINDS:

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

O R D E R

THE COMMISSION ORDERS:

That B. A. Ginther, Brighton, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of baled hay, grain, and straw, from farms and ranches located east of a line drawn north and south parallel to the Continental Divide, at Leadville, Colorado, and north of a line drawn east and west parallel to the El Paso-Pueblo County lines, to feed lots, hay dealers, and dairies in Adams, Weld, and Denver Counties, Colorado, with no town-to-town service.

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

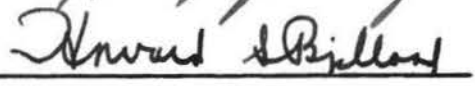
authority sheets.

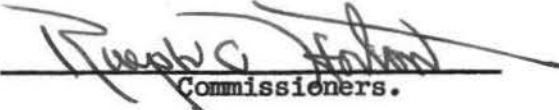
That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners.

Dated at Denver, Colorado,
this 25th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
A. F. HENNIGH, 947 COREY, LONGMONT,
COLORADO, FOR A CLASS "B" PERMIT TO
OPERATE AS A PRIVATE CARRIER BY MOTOR
VEHICLE FOR HIRE.

APPLICATION NO. 19544-PF

January 25, 1963

Appearances: A. F. Hennigh, Longmont,
Colorado, pro se;
Ralph Knull, Denver, Colo-
rado, for Rio Grande
Motor Way, Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks authority to engage in the transportation of fruits and produce, from production centers in Colorado, to markets in Denver, Colorado.

The application was set for hearing on January 7, 1963, at 9:30 o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner states and finds:

That at the commencement of the hearing, the applicant herein moved to continue the instant matter in order that he might obtain counsel. There being no protest thereto, said motion was allowed.

That subsequent to the hearing, the Commission received a letter, dated January 9, 1963, from the applicant, requesting that this application be cancelled and no further action be taken.

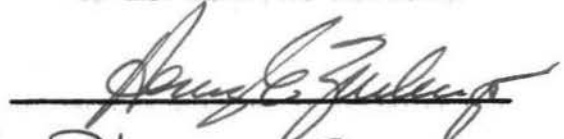
The Commission is of the opinion and finds that said request should be granted, and the instant application dismissed.

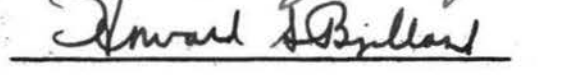
O R D E R


THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is, dismissed, at the request of applicant.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners.

Dated at Denver, Colorado,
this 25th day of January, 1963.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
VERLE G. CLARK, 2606 EAST BIJOU,)
COLORADO SPRINGS, COLORADO, FOR AU-) APPLICATION NO. 19546-PP-Extension
THORITY TO EXTEND OPERATIONS UNDER)
PERMIT NO. B-5626.)

January 25, 1963

Appearances: Verle G. Clark, Colorado
Springs, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

The applicant is the owner of Private Carrier Permit No.
B-5626, which authorizes operation as a private carrier by motor
vehicle for hire, as follows:

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;
operations hereunder to be limited to the
use of dump trucks, only; coal, from coal
fields in Fremont County, Colorado, to coal
dealers and Army installations in Colorado
Springs, Colorado, and a radius of ten miles
thereof,

and by the instant application, applicant seeks to extend and enlarge
such permit to authorize the transportation of coal, from coal fields

in Fremont County, to coal dealers in Canon City, Pueblo, and Florence, Colorado, and points within a radius of ten miles of each city, and to Army installations in or near Pueblo, Colorado; peat moss and natural fertilizer, from supply points to dealers in Canon City, Pueblo, and Colorado Springs, Colorado, and points within a radius of ten miles of each city.

The application was set for hearing on January 8, 1963, at ten o'clock A. M., in the County Office Building, Colorado Springs, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services and the applicant will have sufficient equipment and experience to properly carry on the proposed operation, and the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority will be in the public interest and the application should be granted as provided in the following Order.

O R D E R

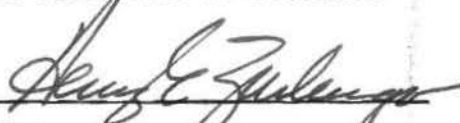
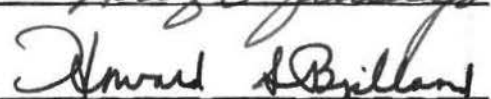
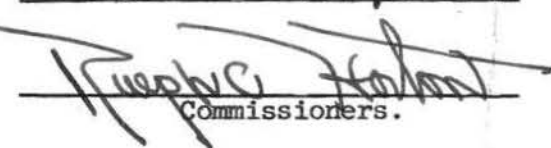
THE COMMISSION ORDERS:

That Verle G. Clark, Colorado Springs, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-5626 to include the transportation of coal, from coal fields in Fremont County, to coal dealers in Canon City, Pueblo, and Florence, Colorado, and points within a radius of ten miles of each city, and to Army installations in or near Pueblo, Colorado; peat moss and natural fertilizer,

from supply points to dealers in Canon City, Pueblo, and Colorado Springs, Colorado, and points within a radius of ten miles of each city, and this Order is the authorization therefor.

This Order is made a part of the permit granted to applicant, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 25th day of January, 1963.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE W. LYBARGER, 1428 MAIN STREET,)
LOUISVILLE, COLORADO, FOR A CERTIFI-)
CATE OF PUBLIC CONVENIENCE AND NE-)
CESSITY TO OPERATE AS A COMMON CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 19459

January 28, 1963

Appearances: Dick Hansen, Esq., Boulder,
Colorado, for Applicant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle in the transportation of ashes and trash in the towns of Louisville and Lafayette, Colorado, in the County of Boulder, to regularly designated and approved dumps and disposal places in said County.

The application was set for hearing on January 7, 1963, at 9:30 o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation service and the applicant will have sufficient equipment and experience to properly carry on the proposed transportation services and the applicant's financial standing is established to the satisfaction of the Commission.

That present and future public convenience and necessity require, and will require, the transportation services for which applicant herein seeks authority, and the application should be granted.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed motor vehicle transportation service of George W. Lybarger, Louisville, Colorado, for the transportation of ashes, trash, and other waste materials, between points within the towns of Louisville and Lafayette, Colorado, and from said towns to regularly-designated and approved dumps and disposal places in Boulder County, 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 28th day of January, 1963.
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BULK TRANSPORTERS, INC., 3434 WALNUT)
STREET, DENVER, COLORADO, FOR A CER-)
TIFICATE OF PUBLIC CONVENIENCE AND) APPLICATION NO. 19540-Extension
NECESSITY, AUTHORIZING EXTENSION OF)
OPERATIONS UNDER PUC NO. 4350.)

January 28, 1963

Appearances: Marion F. Jones, Esq., Den-
ver, Colorado, for Appli-
cant;
Peter J. Crouse, Esq., Den-
ver, Colorado, for Colo-
rado Cartage Co., Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

The Applicant is the owner of PUC No. 4350, which authorizes
operation as a common carrier by motor vehicle for hire, as follows:

transportation of vinegar, in bulk, in tank
trucks, between Denver, Colorado, on the one
hand, and, on the other, Pueblo, Grand Junc-
tion, Fort Collins, Longmont, and Brighton,
Colorado, over irregular routes;

transportation of dry sugar (in bulk) between
Fort Morgan, Windsor, Johnstown, Longmont,
Loveland, and points within three miles of
said cities and towns, on the one hand, and,
on the other, points in Colorado east of the
Continental Divide;

transportation of liquid sugar and syrup re-
sulting from the mixture of liquid sugar with
corn syrup, in bulk, between Johnstown, Colo-
rado, on the one hand, and, on the other,
points in Colorado east of the Continental
Divide;

transportation of vinegar, in bulk, in tank
trucks, between points in Denver, Colorado,
and within five (5) miles thereof;

transportation of lard, edible, in bulk, be-
tween points in the State of Colorado situ-
ated east of the Continental Divide;

transportation of (1) animal oils, except lard, edible, in bulk, in tank trucks, between points in Colorado situated east of the Continental Divide; and (2) animal oils, in bulk, in tank vehicles, between points in Colorado east of the Continental Divide, on the one hand, and points in Colorado on and west of the Continental Divide on the other hand;

and by the instant application, applicant seeks to extend and enlarge such certificate to authorize transportation of (1) sugar, in bulk, between Johnstown and Loveland, Colorado, on the one hand, and, on the other, points in Colorado west of the Continental Divide; and (2) invert sugar, in bulk, between Johnstown and Loveland, Colorado, on the one hand, and, on the other, points in the State of Colorado; and (3) liquid sugar and syrup resulting from the mixture of liquid sugar with corn syrup, in bulk, between Loveland, Colorado, on the one hand, and, on the other, points in the State of Colorado.

The application was set for hearing on January 7, 1963, at 9:30 o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That no one protests the granting of the application.

That the applicant will have sufficient equipment and experience to properly carry on the proposed transportation services and the applicant's financial standing is established to the satisfaction of the Commission.

That public convenience and necessity require the transportation services for which applicant herein seeks authority, and the appli-

cation should be granted.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed extended motor vehicle common carrier service of Bulk Transporters, Inc., Denver, Colorado, under PUC No. 4350, to include (1) transportation of sugar, in bulk, between Johnstown and Loveland, Colorado, on the one hand, and, on the other, points in Colorado west of the Continental Divide; (2) transportation of invert sugar, in bulk, between Johnstown and Loveland, Colorado, on the one hand, and, on the other, points in the State of Colorado; and (3) transportation of liquid sugar and syrup resulting from the mixture of liquid sugar with corn syrup, in bulk, between Loveland, Colorado, on the one hand, and, on the other, points in the State of Colorado, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

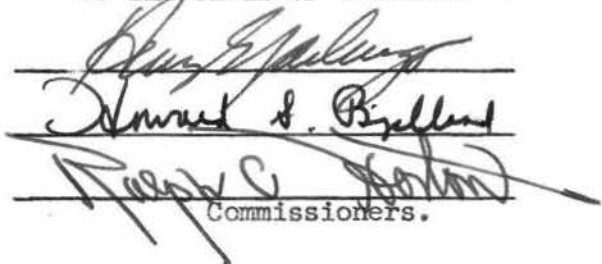
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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


Commissioners.

Dated at Denver, Colorado,
this 28th day of January, 1963.
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF }
GEROLD J. SCHRAHEK, ROUTE 1, BOX }
48-A, FOUNTAIN, COLORADO, FOR A }
CLASS "B" PERMIT TO OPERATE AS A }
PRIVATE CARRIER BY MOTOR VEHICLE }
FOR HIRE. }

APPLICATION NO. 19548-PP
Amended

January 28, 1963

Appearances: Gerold J. Schramek, Fountain,
Colorado, pro se;
Merle Jessup, Elbert, Colorado,
for Elbert Transfer Co.;
Robert R. Hopson, Colorado
Springs, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks authority to engage in the transportation of farm produce, from farms and ranches within a radius of 25 miles of Colorado Springs, to storage, railroad docks, and places of usage, within the State of Colorado; farm machinery, from farm-machinery suppliers within a radius of 25 miles of Colorado Springs, to farms and ranches within said 25 mile radius of Colorado Springs; farm machinery, to and from farms and ranches within a radius of 25 miles of Colorado Springs, with no town-to-town service; 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 home 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, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

The application was set for hearing on January 8, 1953, at ten o'clock A. M., in the County Office Building, Colorado Springs, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner states and finds:

That at the commencement of the hearing, applicant moved to amend his application, as set forth in the following Order, and in view of said amendment, protestants herein withdrew their protest to the granting of the application as amended.

That there is a need for the proposed transportation services; that the applicant will have sufficient equipment and experience to properly carry on the proposed operation; and, that the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority as provided in the following Order will be in the public interest and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Gerold J. Schramek, Fountain, Colorado, be, and hereby is, granted authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

farm produce, from farms and ranches within a radius of 25 miles of Colorado Springs, south of U. S. Highway No. 24, to storage, railroad docks, and places of usage, within the State of Colorado, limited to the use of bob-tail equipment, only;

farm machinery, from farm machinery suppliers within a radius of 25 miles of Colorado Springs, to farms and ranches within said 25 mile radius of Colorado Springs, limited to the use of bob-tail equipment, only;

farm machinery, to and from farms and ranches, within a radius of 25 miles of Colorado Springs, with no town-to-town service, limited to the use of bob-tail equipment, only;

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 home 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; transportation of road-surfacing materials restricted against the use of tank vehicles,

and this Order is a permit therefor.

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

Samuel E. Zullinger
Harold Brillant
Ralph C. Hotard
Commissioners.

Dated at Denver, Colorado,
this 28th day of January, 1963.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JACK N. MURPHY AND DARLENE MURPHY,)
686 WESTCLIFFE, GRAND JUNCTION, COLO-)
RADO, FOR A CLASS "B" PERMIT TO OPER-)
ATE AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 19512-PP

January 28, 1963

Appearances: Darlene Murphy, Grand Junc-
tion, Colorado, for Appli-
cants.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks authority to engage in the transportation of air freight, from Airport, Grand Junction, to points within 15 miles of Grand Junction; packages, not exceeding 15 pounds, from point to point within the City of Grand Junction, and a 15 mile radius thereof, for the following firms only, Mesa Drug, Lende Drug, Hammer Drug, Gavin Drug, Watson Floral and Western Union.

The application was set for hearing on December 19, 1962, at ten o'clock A. M., in the Court House, Grand Junction, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services; that the applicant will have sufficient equipment and experience to properly carry on the proposed operation; and, that the applicant's financial standing is established to the satisfaction of the Commission.

O R D E R

THE COMMISSION ORDERS:

That Jack N. Murphy and Darlene Murphy, Grand Junction, Colorado, be, and hereby are, granted authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of air freight, in interstate and intrastate commerce, from the Airport, Grand Junction, Colorado; packages, not exceeding 15 pounds, from point to point within the City of Grand Junction and a 15 mile radius thereof, for the following firms only, Mesa Drug, Lende Drug, Hammer Drug, Gavin Drug, Watson Floral, and Western Union, and this Order is a permit therefor.

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

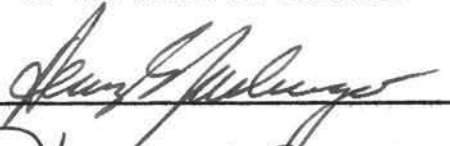
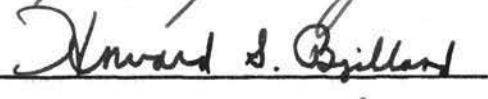
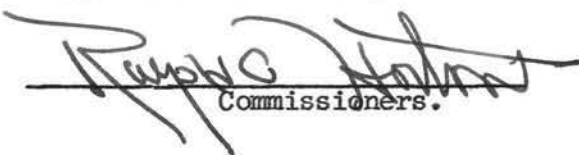
That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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 interstate operating rights herein granted shall be subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 28th day of January, 1963.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
TED MENDIAS, BOX 233, FIRESTONE,)
COLORADO, FOR AUTHORITY TO EXTEND) APPLICATION NO. 19543-PP-Extension
OPERATIONS UNDER PERMIT NO. B-5738.)

January 28, 1963

Appearances: Ted Mendias, Firestone, Colo-
rado, pro se;
Robert Sarmiento, Frederick,
Colorado, for Joe A. Sar-
miento & Sons.

STATEMENT AND FINDINGS OF FACT

By the Commission:

The applicant is the owner of Private Carrier Permit No.
B-5738, which authorizes operation as a private carrier by motor ve-
hicle for hire, as follows:

transportation of farm produce, excluding
livestock, from point to point within a ra-
dius of fifty miles of Fort Lupton, Colo-
rado, and from and to Fort Lupton, Colorado,
to and from Denver, Colorado;

and by the instant application, applicant seeks to extend and enlarge
such permit to authorize the transportation of sand, gravel and other
road-surfacing materials used in the construction of roads and high-
ways, 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
home 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 vehicles; scrap metal, from Rocky Mountain Arsenal, East of Denver, to scrap dealers, junk dealers, and foundries in Denver, Colorado; used building material, from Denver to Firestone, Colorado.

The application was set for hearing on January 7, 1963, at 9:30 o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services and the applicant will have sufficient equipment and experience to properly carry on the proposed operation and the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority will be in the public interest and the application should be granted as provided in the following Order.

O R D E R


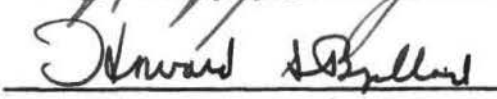
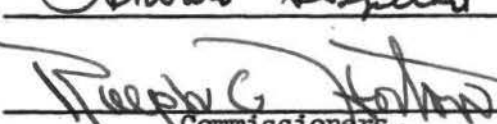
THE COMMISSION ORDERS:

That Ted Mendias, Firestone, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-5738 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 pro-

cessing 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 home 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 vehicles; scrap metal, from Rocky Mountain Arsenal, East of Denver, to scrap dealers, junk dealers, and foundries in Denver, Colorado; and used building materials from Denver to Firestone, Colorado, and this Order is the authorization therefor.

This Order is made a part of the permit granted to applicant, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 28th day of January, 1963.
mls

original

(Decision No. 60019)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF MARY JEAN WESTLAKE, BOX 61, GLENWOOD SPRINGS, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-5311.	}	APPLICATION NO. 19507-PP-Extension <u>Amended</u>
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January 28, 1963

Appearances: Mary Jean Westlake, Glenwood
Springs, Colorado, pro se;
Carl W. Fulghum, Esq., Glen-
wood Springs, Colorado, for
Beuford R. Bogue, Ray Ful-
bright, and Estes Trucking
Co.

STATEMENT AND FINDINGS OF FACT

By the Commission:

The applicant is the owner of Private Carrier Permit No.
B-5311, which authorizes operation as a private carrier by motor ve-
hicle for hire, as follows:

transportation, in dump trucks only, of sand,
gravel, and other road-surfacing materials
used in the construction of roads and high-
ways, from pits and supply points in the State
of Colorado, to road jobs, mixer and process-
ing 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;

and by the instant application, applicant seeks to extend and en-
large such permit to authorize the transportation of logs, poles, mine
props and rough lumber from forests and sawmills, to sawmills, rail-

road loading points, places of storage and mines, within a radius of 100 miles of said forests; peat moss, from fields to places of storage, railroad loading points and to dealers and users within a radius of 100 miles of fields; coal, from mines to places of storage, railroad loading points and points of use, within a radius of 100 miles of Glenwood Springs; hay from fields to places of storage and usage, within a radius of 100 miles of said fields; change radius of 50 miles, to 100 miles, on sand and gravel authority now in effect.

The application was set for hearing on December 18, 1962, at two o'clock P. M., in the Court House, Glenwood Springs, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That at the commencement of the hearing, applicant herein moved to amend the instant application by eliminating therefrom the commodities logs, poles, mine props, rough lumber, peat moss, coal and hay, and accordingly protestants withdrew their protest to the granting of the application as amended.

That there is a need for the proposed transportation services and the applicant will have sufficient equipment and experience to properly carry on the proposed operation and the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority will be in the public interest and the application should be granted as provided in the following Order.

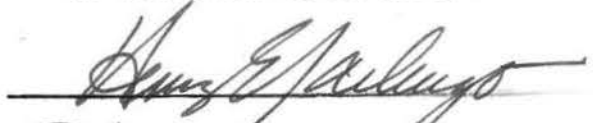
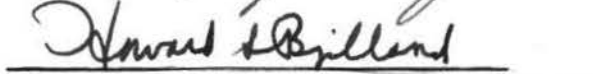
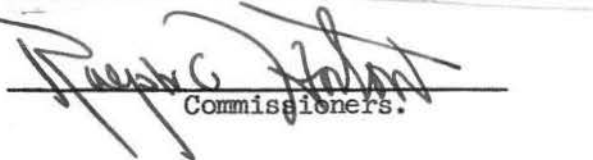
O R D E R

THE COMMISSION ORDERS:

That Mary Jean Westlake, Glenwood Springs, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-5311 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 home 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; transportation of road-surfacing materials restricted against the use of tank vehicles, and this Order is the authorization therefor.

This Order is made a part of the permit granted to applicant, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 28th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CARL W. VORCE, 4303 UMATILLA STREET,)
DENVER, COLORADO, FOR AUTHORITY TO)
TRANSFER PUC NO. 3809 TO JOHN D.) APPLICATION NO. 19565-Transfer
MILLS, DOING BUSINESS AS "ACCOMMO-)
DATING HAULING SERVICE," 7535 WEST)
8TH PLACE, DENVER, COLORADO.)

January 28, 1963

Appearances: Clarence Werthan, Esq., Denver,
Colorado, for Transferor and
Transferee.

S T A T E M E N T

By the Commission:

Carl W. Vorce, Denver, Colorado, is the owner and operator
of PUC No. 3809, authorizing:

transportation of ashes, trash, and other waste
materials, between points within the City and
County of Denver, 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;

transportation of ashes, trash, and other waste
materials between points bounded by the north
City Limits of Denver and the north side of West
53rd Avenue on the North, Grove Street on the
East, and Lowell Boulevard on the West; said
area being approximately two blocks wide, north
and south, and six blocks long, east and west,
to regularly-designated and approved dumps and
disposal places;

and by the instant application, seeks authority to transfer said PUC
No. 3809 to John D. Mills, doing business as "Accommodating Hauling
Service," Denver, Colorado.

Said application, pursuant to prior setting, after appro-
priate notice to all parties in interest, was heard at two o'clock P.
M., in the Hearing Room of the Commission, 532 State Services Building,

Denver, Colorado, January 21, 1963, and at the conclusion of the evidence, the matter was taken under advisement.

No one appeared in opposition to the proposed transfer.

The testimony established that Carl Vorce had entered into a contract with John D. Mills for the transfer of the above listed operating rights; that John Mills has worked with and for Carl Vorce for the last two months and is competent to continue the business; that the said John Mills has a net worth of approximately \$4,000.00; and that Carl Vorce has no business indebtedness.

The testimony further established that the transferor, Carl Vorce, wished to lease his truck and his operating rights to the transferor, John Mills, until such time as full payment had been made. Both the transferor and transferee, however, agreed that if the Commission should so desire the transfers could be made immediately and the transferor would accept a note and chattel mortgage in the amount of \$2700.00 payable at the rate of \$100.00 a month for the balance of the purchase price.

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 W. Vorce, Denver, Colorado, be, and hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 3809 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to John D. Mills, doing business as "Accommodating Hauling Service," Denver, Colorado, subject to payment of outstanding indebtedness, if any there be, whether secured or unsecured.

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

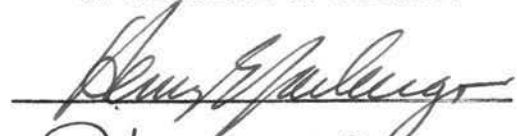
The tariff of rates, rules, and regulations of transferor shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

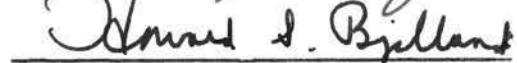
The right of transferee to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

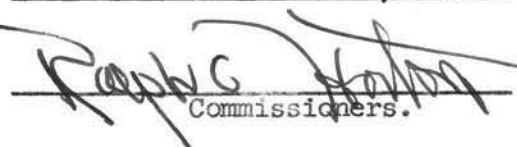
That John D. Mills, doing business as "Accommodating Hauling Service," Denver, Colorado, be, and hereby is, authorized to execute a note and chattel mortgage in the amount of \$2,700.00, payable at the rate of \$100.00 a month, in payment of the balance of the contract of purchase.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners.

Dated at Denver, Colorado,
this 28th day of January, 1963.
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
WILLIAM R. MOORE, DOING BUSINESS AS)	
"KING VAN OF DENVER," 4206 MADISON)	
STREET, DENVER, COLORADO, FOR AU-)	APPLICATION NO. 19566-Transfer
THORITY TO TRANSFER PUC NO. 334 AND)	
PUC NO. 334-I TO MOORE & MOORE MOV-)	
ING AND STORAGE COMPANY, INC., 4206)	
MADISON STREET, DENVER, COLORADO.)	

January 28, 1963

Appearances: Truman Stockton, Esq., Denver,
Colorado, for Transferor and
Transferee.

S T A T E M E N T

By the Commission:

William R. Moore, doing business as "King Van of Denver,"
Denver, Colorado, is the owner and operator of PUC No. 334 and PUC
No. 334-I, authorizing:

conduct of a transfer, moving and general
cartage business in the City and County of
Denver, and in the Counties of Adams,
Arapahoe and Jefferson, and occasional ser-
vice throughout the State of Colorado.
Applicant shall not be permitted without
further authority from the Commission to
establish a branch office or to have an
agent employed in any other town or city
than Denver for the purpose of developing
business;

Decision No. 41895 authorizes the estab-
lishment of an office in the City of Engle-
wood, Colorado, for the conduct of opera-
tions under PUC No. 334 and PUC No. 334-I;

conduct of a transfer, moving and general
cartage business from point to point in the
City and County of Denver;

between all points in Colorado and the Colo-
rado State boundary line where all highways
cross the same in interstate commerce, only,
subject to the provisions of the Federal
Motor Carrier Act of 1935, as amended,

and by the instant application seeks authority to transfer said PUC No. 334 and PUC No. 334-I to Moore & Moore Moving and Storage Company, Inc., Denver, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at two o'clock P. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, January 21, 1963, and at the conclusion of the evidence, the matter was taken under advisement.

The testimony established that William R. Moore, now doing business as "King Van of Denver," desired to transfer his certificates and equipment to the Moore & Moore Moving and Storage Company, Inc., a corporation wholly owned by the said William R. Moore; that the corporation would assume all indebtedness of the transferor; that the financial situation of the holder of the operating rights would not be materially changed since the said William R. Moore will continue to be the owner through stock ownership of the transferee corporation.

Testimony further established that the operating rights herein under consideration are presently mortgaged to the Pikes Peak Bank of Commerce, at Colorado Springs, Colorado.

No one appeared in opposition 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 the same should be authorized, subject to outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That William R. Moore, doing business as "King Van of Denver," Denver, Colorado, be, and hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 334-and PUC No. 334-I -- with authority as set forth in the preceding Statement, which is made

a part hereof by reference -- to Moore & Moore Moving and Storage Company, Inc., Denver, Colorado, subject to assumption of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That this transfer shall be subject to the above specified mortgage to the Pikes Peak Bank of Commerce of Colorado Springs, Colorado, and that the transferee corporation is hereby authorized, if it should desire, to execute similar evidence of indebtedness in its own name covering the said outstanding mortgage.

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.

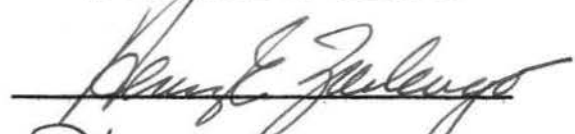
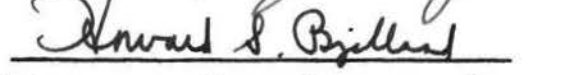
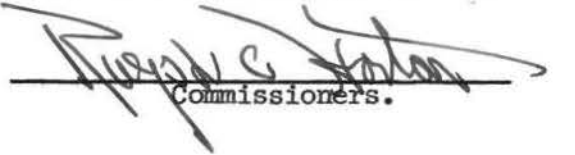
The tariff of rates, rules and regulations of transferor, shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

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 certificates up to the time of transfer of said certificates.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 28th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LARS KRUSE, 1846 WEST COFFMAN AVENUE,)
CASPER, WYOMING, FOR AUTHORITY TO)
TRANSFER INTERSTATE OPERATING RIGHTS)
TO KRUSE, INC., 1846 WEST COFFMAN)
AVENUE, CASPER, WYOMING.)

PUC NO. 988-I-Transfer

January 28, 1963

S T A T E M E N T

By the Commission:

Heretofore, Lars Kruse, Casper, Wyoming, was granted a certificate of public convenience and necessity (PUC No. 988-I), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

freight, 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.

Said certificate-holder now seeks authority to transfer said operating rights to Kruse, Inc., Casper, Wyoming.

Inasmuch as the records and files of the Commission fail to disclose any reason why said transfer should not be authorized,

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


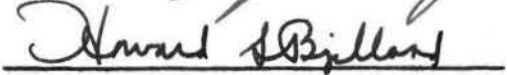

THE COMMISSION ORDERS:

That Lars Kruse, Casper, Wyoming, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No.

988-I -- with authority as set forth in the Statement preceding,
which is made a part hereof, by reference -- to Kruse, Inc., Casper,
Wyoming, 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 28th day of January, 1963.

mls

original

(Decision No. 60023)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
FRESNO-ALBUQUERQUE TRUCK LINE,)
INC., 4201 BRIGHTON BOULEVARD,)
DENVER, COLORADO.)

PUC No. 2804-I

January 29, 1963

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above-styled certificate-holder, requesting authority to do business under the trade name and style: "Cardinal Express Lines," in the conduct of operations under PUC No. 2804-I.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the Secretary of the Commission is hereby directed to change the records of the Commission to show PUC No. 2804-I to be owned and operated by:

"Fresno-Albuquerque Truck Line, Inc.,
doing business as 'Cardinal Express
Lines,'"

in lieu of:

"Fresno-Albuquerque Truck Line, Inc."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ken E. Ziegler
Howard B. Bille
George C. Hobbs
Commissioners.

Dated at Denver, Colorado,
this 29th day of January, 1963.

mls

original

(Decision No. 60024)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM R. MOORE, DOING BUSINESS)
AS "MOORE & MOORE MOVING & STOR-)
AGE COMPANY," 2519 WEST COLORADO)
AVENUE, COLORADO SPRINGS, COLO-)
RADO.)

PUC NO. 3432
PUC NO. 4042-I

January 29, 1963

Appearances: Truman A. Stockton, Jr., Esq.,
Denver, Colorado, for
William R. Moore.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Attorney for the above-styled certificate-holder, stating said certificate-holder no longer desires to use the trade name, "Moore & Moore Moving & Storage Company," in the conduct of operations under PUC No. 3432 and PUC No. 4042-I, and requesting that the records of the Commission be changed so to show.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the Secretary of the Commission is hereby directed to change the records of the Commission to show PUC No. 3432 and PUC No. 4042-I to be owned and operated by:

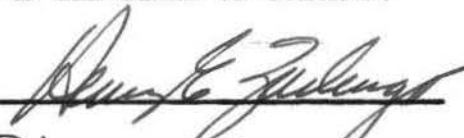
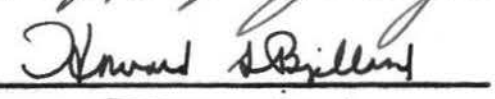
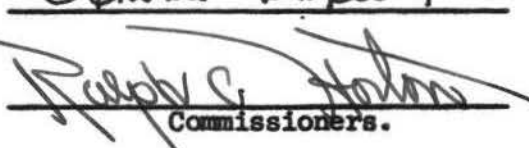
"William R. Moore,"

in lieu of:

"William R. Moore, doing business
as 'Moore & Moore Moving & Stor-
age Company.'"

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 29th day of January, 1963.

mls

original

(Decision No. 60025)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE WESLEY JENSEN, 756 N. E.)
MAIN, BLACKFOOT, IDAHO.)

PUC No. 4675-I

January 29, 1963

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above-styled certificate-holder, requesting authority to do business under the firm name and style "Wes Jensen," in the conduct of operations under said certificate, and advising his address has been changed to "Pocatello Creek Road, Pocatello, Idaho."

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, and the records of the Commission changed so to show.

O R D E R

THE COMMISSION ORDERS:

That the Secretary of the Commission is hereby directed to change the records of the Commission to show PUC No. 4675-I to be owned and operated by:

"George Wesley Jensen, doing business as 'Wes Jensen,'
Pocatello Creek Road,
Pocatello, Idaho,"

in lieu of:

"George Wesley Jensen,
756 N. E. Main,
Blackfoot, Idaho."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zuckerman

Howard Brillant

Joseph C. Hahn
Commissioners.

Dated at Denver, Colorado,
this 29th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
NORMAN FREDRICKSON AND ELDON FRED-)
RICKSON, DOING BUSINESS AS "FRED-)
RICKSON GRAIN COMPANY," MERIDEN,)
IOWA, FOR AUTHORITY TO TRANSFER IN-)
TERSTATE OPERATING RIGHTS TO FRED-)
RICKSON GRAIN COMPANY, INC., MERIDEN,)
IOWA.)

PUC NO. 5298-I-Transfer

January 29, 1963

S T A T E M E N T

By the Commission:

Heretofore, Norman Fredrickson and Eldon Fredrickson, doing business as "Fredrickson Grain Company," Meriden, Iowa, were granted a certificate of public convenience and necessity (PUC No. 5298-I), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

freight, 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.

Said certificate-holder now seeks authority to transfer said PUC No. 5298-I to Fredrickson Grain Company, Inc., Meriden, Iowa.

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.

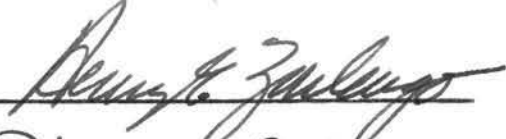
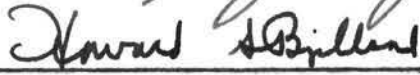

O R D E R

THE COMMISSION ORDERS:

That Norman Fredrickson and Eldon Fredrickson, doing business as "Fredrickson Grain Company," Meriden, Iowa, be, and they hereby are, authorized to transfer all right, title, and interest in and to PUC No. 5298-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Fredrickson Grain Company, Inc., Meriden, Iowa, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, and subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 29th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ALFRED E. DEAN, DOING BUSINESS AS)
"DEAN VAN LINES," 18420 SOUTH SANTA)
FE AVENUE, LONG BEACH, CALIFORNIA,)
FOR AUTHORITY TO TRANSFER INTER-)
STATE OPERATING RIGHTS TO DEAN VAN)
LINES, INC., 18420 SOUTH SANTA FE)
AVENUE, P. O. BOX 923, LONG BEACH,)
CALIFORNIA.)

PUC NO. 597-I-Transfer

January 29, 1963

S T A T E M E N T

By the Commission:

Heretofore, Alfred E. Dean, doing business as "Dean Van Lines," Long Beach, California, was granted a certificate of public convenience and necessity (PUC No. 597-I), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

freight, between all points in Colorado and the Colorado State Line, where all highways cross, in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

Said certificate-holder now seeks authority to transfer said operating rights to Dean Van Lines, Inc., Long Beach, California.

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

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:

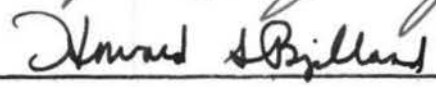
That Alfred E. Dean, doing business as "Dean Van Lines,"


Long Beach, California, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 597-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Dean Van Line, Inc., Long Beach, California, subject to payment of outstanding indebtedness against said certificate, 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 29th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LEVI CARLILE, JR., MOFFETT, OKLAHOMA.)
)
)
)
-----)

PERMIT NO. M-8394

January 31, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Levi Carlile, Jr.,
Moffett, Oklahoma
requesting that Permit No. M-8394 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8394, heretofore issued to Levi Carlile, Jr.,
Moffett, Oklahoma be,
and the same is hereby, declared cancelled effective January 16, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Henry E. Zuckers
Harold L. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 31st day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MAX GRIMES, HAROLD N. GRIMES, RAYMOND)
L. GRIMES AND FANNIE GRIMES AND LOUISE
MUSMAN, DOING BUSINESS AS, "MORSE)
BROTHERS MACHINERY COMPANY", 2900)
BRIGHTON BOULEVARD, DENVER 5, COLORADO

PERMIT NO. M-7860

January 31, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Max, Harold N., Raymond L.
& Fannie Grimes & Louise Musman, dba "Morse Bros. Machinery Co.", Denver 5, Colorado
requesting that Permit No. M-7860 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7860, heretofore issued to Max, Harold N., Raymond L.,
& Fannie Grimes & Louise Musman, dba "Morse Bros. Machinery Co.", Denver 5, be,
Colorado
and the same is hereby, declared cancelled effective January 27, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zuckerman
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 31st day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MARION COX AND MARIE COX, 7 TWEED)
LANE, PUEBLO, COLORADO.)
-----)

PERMIT NO. M-5381

January 31, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Marion Cox and Marie Cox, Pueblo, Colorado

requesting that Permit No. M-5381 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5381, heretofore issued to Marion Cox and Marie Cox, Pueblo, Colorado be,
and the same is hereby, declared cancelled effective December 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 31st day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRANK F. WAGNER, DOING BUSINESS AS,)
"HENRY WAGNER AND SON", 1840 - 15TH)
STREET, DENVER 2, COLORADO.)
-----)

PERMIT NO. M-150

January 31, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Frank W. Wagner, doing
business as, "Henry Wagner & Son", Denver 2, Colorado
requesting that Permit No. M-150 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-150, heretofore issued to Frank W. Wagner, doing
business as, "Henry Wagner & Son", Denver 2, Colorado be,
and the same is hereby, declared cancelled effective December 15, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Giddings
Arnold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 31st day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
F. A. ASKINS, DOING BUSINESS AS,)
"ASKINS GROCERY", P. O. BOX 96,)
WELLINGTON, COLORADO.)
-----)

PERMIT NO. M-9582

January 31, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from F. A. Askins, doing
business as, "Askins Grocery", Wellington, Colorado
requesting that Permit No. M-9582 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9582, heretofore issued to F. A. Askins, doing
business as, "Askins Grocery", Wellington, Colorado be,
and the same is hereby, declared cancelled effective January 27, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Henry E. Zaslavsky
Howard L. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 31st day of January, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM M. WAGNER, CULBERTSON,)
NEBRASKA.)
-----)

PUC NO. 1228-I

February 7, 1963

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from William M. Wagner,
Culbertson, Nebraska

requesting that Certificate of Public Convenience and Necessity No. 1228-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. 1228-I heretofore issued to William M.
Wagner, Culbertson, Nebraska

be, and the same is hereby, declared cancelled effective December 16, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zerk
Edward S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado
this 7th day of February, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
COLLEEN BARBER, DOING BUSINESS)
AS, "MOUNT EVANS MOTORWAY",)
P. O. BOX 81, IDAHO SPRINGS,)
COLORADO.)

PUC NO. 1167

February 7, 1963

S T A T E M E N T

By the Commission:

On April 1, 1962, the Commission authorized Colleen Barber to suspend operations under her Certificate No. 1167, until April 1, 1963.

The Commission is now in receipt of a communication from the above-named certificate-holder requesting that her Certificate be re-instated.

F I 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. 1167, should be, and the same hereby is, reinstated as of January 14, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland
Ralph C. Gordon
Commissioners

Dated at Denver, Colorado,
this 7th day of February, 1963.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
R. E. FRANCIS, P. O. BOX 100,)
SALIDA, COLORADO.)
-----)

PERMIT NO. B-5835

February 7, 1963
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-5835 to be further suspended for six months from January 14, 1963.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That R. E. Francis, Salida, Colorado

be, and is hereby, authorized to further suspend his operations under Permit No. B-5835 until July 14, 1963.

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

Henry E. Zaslavsky
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 7th day of February, 1963.

* * *

RE MOTOR VEHICLE OPERATIONS OF)
WAYNE LE ROY MUSICK, 2414)
NORTH 7TH STREET, COLORADO)
SPRINGS, COLORADO.)

PERMIT NO. B-6257

February 7, 1963

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-6257 be suspended
for six months from January 17, 1963.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Wayne Le Roy Musick, Colorado Springs, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-6257 until July 17, 1963.

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

Henry E. Zaehner
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 7th day of February, 1963.

* * *

RE MOTOR VEHICLE OPERATIONS OF)
MATTHEW JOHN KREILING, 4422)
PENNSYLVANIA STREET, DENVER 16,)
COLORADO.)

PERMIT NO. B-6197

February 7, 1963

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-6197 be suspended
for six months from January 10, 1963.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Matthew John Kreiling, Denver 16, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-6197 until July 10, 1963.

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

Henry E. Zaehner
Howard S. Bjelland
Ralph C. Johnson
Commissioners

Dated at Denver, Colorado,
this 7th day of February, 1963.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

SOUTHEAST COLORADO POWER ASSOCIATION,)
A PUBLIC UTILITY, WITH ITS GENERAL)
OFFICES LOCATED AT 901 WEST THIRD)
STREET, LA JUNTA, COLORADO,)

Complainant,)

vs.)

THE UTILITIES BOARD OF THE CITY OF)
LAMAR, AND THE CITY OF LAMAR, A)
MUNICIPAL CORPORATION OF THE STATE)
OF COLORADO,)

Respondents.)

CASE NO. 5226
SUPPLEMENTAL ORDER

January 29, 1963

Appearances: Carl M. Shinn, Esq., Lamar,
Colorado, for Complainant;
John R. Barry, Esq., Denver,
Colorado, and
S. Arthur Gordon, Esq.,
Lamar, Colorado, for Re-
spondents.

S T A T E M E N T

By the Commission:

On November 26, 1962, the Commission entered its Decision
No. 59680 in the above-styled case.

On December 10, 1962, "Petition for Rehearing" was filed
with the Commission, by Carl M. Shinn, Attorney, for and on behalf
of Complainant herein.

The Commission has read and considered each and every
alleged assignment of error.

F I N D I N G S

THE COMMISSION FINDS:

That no error was committed in said Decision No. 59680, and
that said Petition should be denied.

O R D E R

THE COMMISSION ORDERS:

That "Petition for Rehearing," filed with the Commission on December 10, 1962, in Case No. 5226, by Carl M. Shinn, Attorney for Complainant herein, 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





Commissioners.

COMMISSIONER HOWARD S. BJELLAND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 29th day of January, 1963.

mls

original

(Decision No. 60039)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) W. J. FOSTER, 639 OSCEOLA STREET,) DENVER, COLORADO, FOR A CLASS "B") PERMIT TO OPERATE AS A PRIVATE CAR-) RIER BY MOTOR VEHICLE FOR HIRE.)	<u>APPLICATION NO. 19289-PP</u> <u>SUPPLEMENTAL ORDER</u>
---	--

January 29, 1963

Appearances: William J. Foster, Denver,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On January 16, 1963, the Commission entered its Decision No. 59969, revoking operating rights granted to the above-styled applicant by Decision No. 59220, of date September 5, 1962, for failure of applicant to comply with requirements set forth in said Decision No. 59220.

It now appears that applicant has complied with all requirements set forth in Decision No. 59220, and requests reinstatement of operating rights granted by said Decision.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the Order following.


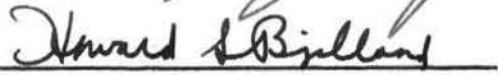

O R D E R

THE COMMISSION ORDERS:

That Decision No. 59969, of date January 16, 1963, be, and the same hereby is, set aside, vacated, and held for naught, as of said 16th day of January, 1963, and operating rights heretofore granted

to the above-styled applicant by Decision No. 59220, of date September 5, 1962, be, and the same hereby are, restored to active status, as of said date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 29th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BURT HUGHES AND ANN HACKNEY, SOLE)
HEIRS OF JAMES HACKNEY, DECEASED,)
DOING BUSINESS AS "B & J TRIANGLE)
EXPRESS," 2005 WELTON STREET, DEN-)
VER, COLORADO, FOR AUTHORITY TO)
TRANSFER PUC NO. 3510 TO BURT HUGHES,)
DOING BUSINESS AS "B & J TRIANGLE EX-)
PRESS," 2005 WELTON STREET, DENVER,)
COLORADO.)

APPLICATION NO. 19257-Transfer
SUPPLEMENTAL ORDER

January 29, 1963

Appearances: Lucius E. Woods, Esq., Denver,
Colorado, for Applicants.

S T A T E M E N T

By the Commission:

On January 15, 1963, the Commission entered its Decision No. 59938, setting aside authority granted by Decision No. 59191, of date September 4, 1962, granted to Burt Hughes and Ann Hackney, sole heirs of James Hackney, Deceased, doing business as "B & J Triangle Express," Denver, Colorado, to transfer PUC No. 3510 to Burt Hughes, doing business as "B & J Triangle Express," Denver, Colorado, for failure of applicants herein to comply with requirements of said Decision No. 59938, and directing the Secretary of the Commission to change the records of the Commission to show said Burt Hughes and Ann Hackney, sole heirs of James Hackney, Deceased, doing business as "B & J Triangle Express," Denver, Colorado, to be the owners of said PUC No. 3510.

It now appears that applicants have complied with all requirements set forth in Decision No. 59191, and request that authority therein granted be reinstated.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the Order following.

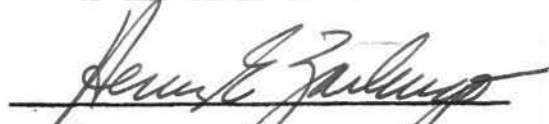
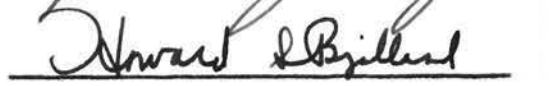

O R D E R

THE COMMISSION ORDERS:

That Decision No. 59938, of date January 15, 1963, be, and the same hereby is, vacated, set aside, and held for naught, as of said 15th day of January, 1963, and authority granted by Decision No. 59191, of date September 4, 1962, be, and the same hereby is reinstated.

That the Secretary of the Commission is hereby directed to change the records of the Commission to show Burt Hughes, doing business as "B & J Triangle Express," Denver, Colorado, to be the owner of PUC No. 3510.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 29th day of January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)

JAMES DE GEORGE)
DE GEORGE TRANSFER AND STORAGE CO.)
801 Walnut St.)
Denver 4, Colorado)
-----)

AUTHORITY NO. PUC 3591
CASE NO. 10904 Ins.

January 30, 1963

S T A T E M E N T

By the Commission:

On January 24, 1963, in the above Case, the Commission entered its Order revoking the above Authority for failure to maintain effective insurance on file with the Commission. Proper insurance filing has now been made with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said Authority should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That said Authority be, and the same hereby is, reinstated, as of the date of revocation, and the said revocation Order be, and the same hereby is, vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaslavsky
Harold S. Bjelland
Reuben C. Gordon
Commissioners

Dated at Denver, Colorado,
this 30th day of January, 1963

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)

TOM H. FLATER)
2503 West St. Vrain)
Colorado Springs, Colo.)
-----)

AUTHORITY NO. M 12653

CASE NO. 10840 Ins.

January 31, 1963

S T A T E M E N T

By the Commission:

On January 24, 1963, in the above Case, the Commission entered its Order revoking the above Authority for failure to maintain effective insurance on file with the Commission. Proper insurance filing has now been made with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said Authority should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That said Authority be, and the same hereby is, reinstated, as of the date of revocation, and the said revocation Order be, and the same hereby is, vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zaehner
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 31st day of January, 1963

original

(Decision No. 60043)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RANGELY GAS COMPANY, A PARTNERSHIP,)
RANGELY, COLORADO, TO TRANSFER ITS)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO THE TOWN OF RANGELY.)
- - - - -

APPLICATION NO. 19563
Transfer

- - - - -
January 30, 1963
- - - - -

Appearances: Barry and Boyle, Esqs., Den-
ver, Colorado, by John R.
Barry, Esq., for Applicant;
Leonard M. Campbell, Esq.,
Denver, Colorado, for the
Town of Rangely;
Joseph F. Nigro, Esq., Den-
ver, 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 the Commission on January 10, 1963. After due notice to all interested parties, this matter was set for hearing by the Commission at its Hearing Room, 532 State Services Building, Denver, Colorado, on January 24, 1963, at 9:30 o'clock A. M. At said time and place the matter was duly heard and at the conclusion of the hearing taken under advisement.

Rangely Gas Company, a partnership, consisting of Henry Carnes and Bessie M. Walton, holds a certificate of public convenience and necessity from this Commission to render gas service as a public utility in the Town of Rangely and including an area within twelve miles east, west, north and south of the limits of said Town. This certificate was granted to the partnership by the Commission by virtue of Application No. 10773, Decision No. 35540, of October 25, 1950. Since that time the Rangely Gas Company has been rendering gas service in the Town and

to certain customers in the area adjacent to the Town. At the present time, the Gas Company has 475 customers of which approximately 36 reside outside of the corporate limits of Rangely. Gas is obtained from the California Company and other companies from gas originating in the Rangely field. The gas sales contract is on file with this Commission. The Company distributes the gas for sale to its customers in accordance with its Colorado P.U.C. Tariff No. 1 on file with this Commission. It also supplies one industrial customer, the Uinta Oil Refining Company, under a contract also duly filed with the Commission.

On the 27th day of August, 1962, the Rangely Gas Company entered into a contract for the sale to the Town of Rangely of said Company of all the assets, rights, privileges, duties and annuities. The citizens of the Town of Rangely, on November 13, 1962, voted to acquire said Company; 129 votes in favor and 27 votes opposing. The purchase will be financed by means of revenue bonds; the base purchase price being \$104,350, subject to certain adjustments at the time of closing. The closing adjustments consist principally of property additions and brings the purchase price to approximately \$105,521.85. The Town will acquire all of the assets except one lot in the Town of Rangely, which remains with the partnership. All of the other assets, properties, and gas contracts will be acquired by the Town.

Upon the acquisition of the Gas Company by the Town, which, according to the plan, will be on February 1, 1963, the Town will take over and operate said system. John W. Elwell, the Town Administrator and Town Clerk, testified at the hearing that the Town had hired competent personnel to run the Gas Company and were prepared to take over on February 1. He identified Exhibit "A", a Memorandum of Agreement, for the purchase and sale of the gas properties. He also identified Ordinance No. 158 of the Town of Rangely which sets up a gas utility department for the Town and sets forth the rates under which gas ser-

vice will continue. The rates set out in the Ordinance are the same rates of the Rangely Gas Company presently on file with this Commission. Exhibit "C" is a copy of Ordinance No. 160, which sets forth the rate for the industrial contract being the same as that on file by the Company for service to the Uinta Oil Refining Company. This Ordinance also provides a penalty for delinquent payments on gas bills. Ordinance No. 161, Exhibit "D", introduced at the hearing, has to do with an appropriation from the gas system revenue fund of the Town of Rangely for the operations of the gas utility from February 1, 1963, to December 31, 1963. This witness further testified that the Town would comply with all the Commission rules and regulations, including the filing of annual reports with the Commission.

There is pending before the Commission, Investigation and Suspension Docket No. 473, involving the Rangely Gas Company and Rangely School District No. 4, Rio Blanca, Colorado, regarding the rate to said School District, and also concerning conjunctive billing. The Town of Rangely is not assuming any liability in regard to this and a witness for the partnership testified that the partnership would be responsible for the final settlement of this matter. The transfer of the assets to the Town will be free and clear of all obligations.

There were no objection from anyone at the hearing in regard to the proposed transfer.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of Applicant herein 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 the certificate of public convenience and necessity issued to Rangely Gas Company, a partnership, by Decision No. 35540,

dated October 25, 1950, in Application No. 10773, should be transferred to the Town of Rangely on the effective date of the closing of the sale.

That the Rangely Gas Company, a partnership, should file its annual report of the fiscal year ending January 31, 1963, with this Commission within the time as prescribed by Rule 27.

That the Town of Rangely should adopt the rates, rules and regulations of the Rangely Gas Company on file with this Commission in accordance with the Order to follow.

O R D E R

THE COMMISSION ORDERS:

That the certificate of public convenience and necessity issued to the Rangely Gas Company, a partnership, by Decision No. 35540, October 25, 1950, in Application No. 10773, be, and it hereby is, transferred to the Town of Rangely effective on the date of the closing of the sale.

That the Town of Rangely shall notify this Commission in writing of the date that said sale was consummated.

That the Town of Rangely shall adopt the rates, rules and regulations of the Rangely Gas Company presently on file with this Commission in accordance with Rule 23 of the Commission's Rules of Practice and Procedure.

That the Rangely Gas Company, a partnership, shall file its annual report with this Commission for the fiscal year ending January 31, 1963, in accordance with Rule 27.

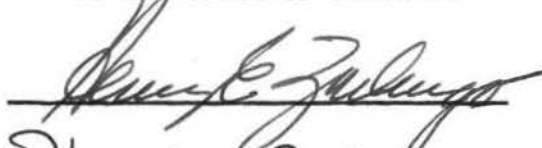
That the Town of Rangely shall at all times comply with the Rules Regulating the Service of Gas Utilities as promulgated by this Commission as to its operations outside the corporate limits of said Town.

That the Town of Rangely shall keep its accounts in accordance with the Uniform Classification of Accounts as prescribed by the

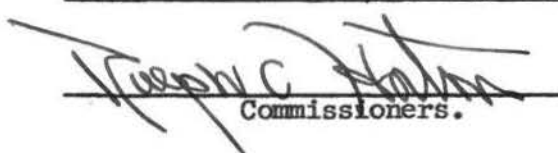
Commission.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners.

Dated at Denver, Colorado,
this 30th day of January, 1963.

mls

original

(Decision No. 60044)

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 AND RAILWAY EXPRESS)
AGENCY, INC., FOR PERMISSION TO)
CLOSE STATION AT HOEHNES, LAS ANIMAS)
COUNTY, COLORADO, AS AN AGENCY STA-)
TION.)

APPLICATION NO. 18590

January 30, 1963

Appearances: Peter J. Crouse, Esq., Denver,
Colorado, for Applicants;
Dean Mabry, Hoehne, Colorado,
for the Town of Hoehne,
Farmers Union and Individuals;
James Couey, Trinidad, Colorado,
for Area Redevelopment Program
and Trinidad, Las Animas Cham-
ber of Commerce.

S T A T E M E N T

By the Commission:

After due and proper notice to all parties in interest,
hearing was held by the Commission in this matter on January 3,
1962, in the District Court Room, Court House, Trinidad, Colorado,
and was finally concluded on the 4th day of January, 1962.

This is an application by the Atchison, Topeka and Santa
Fe Railroad Company and Railway Express Agency, Inc., to discon-
tinue any agency and the maintenance of customary station and agency
service at Hoehnes, Las Animas County, Colorado, except for the
months of October, November and December of each year when the sta-
tion will be reopened for sugar beet and livestock shipments and to
handle the business to and from Hoehnes on the basis of a prepay
station.

In support of its application, the applicant adduced evi-
dence that was intended to prove a lack of public convenience and

necessity for the operation of this station, except during the three months of October, November and December.

At the present time a full time station agent is maintained at the station of Hoehnes, which is a farming community of some 250 odd residents, $10\frac{1}{2}$ miles Northeast of Trinidad in Las Animas County, Colorado, on the main line of the Santa Fe Railroad.

The evidence disclosed that 124 carloads were forwarded in 1958, and 19 carloads were received. Of the 124 forwarded, 120 were shipped in the months of October and November and 4 were shipped in February. Carloads received varied each month from 1 to 4. In 1959, 143 cars were forwarded and 15 were received. All cars forwarded with the exception of one in September, being in the months of October, November and December. Carloads received in 1959 likewise were spread throughout the year monthly. In 1960, 117 cars were forwarded and 17 cars were received. Again all cars, except 16 in September, were shipped in October and November. The carloads received followed the same pattern as that of previous years.

The freight revenues derived by virtue of these shipments was \$11,620 for the year 1958, \$12,799 for 1959, and \$12,276 for 1960. The total of passenger revenue, express revenue and Western Union revenue averaged between \$600 and \$800 annually. Of this revenue, approximately \$400 to \$500 was from passenger service. Total expenses for the operation of the station were approximately \$6,500 for 1958, approximately \$6,500 for 1959, and approximately \$6,800 for 1960. Evidence for the year 1961 on freight revenues, traffic and expenses, being only for part of the year, was insignificant.

The evidence further established that all of the carloading on forwarded shipments consisted of livestock and beets, whereas the bulk of the carloads received were principally water for the School District, feed and seed. All the freight handled at the station by rail shipments, whether forwarded or received, is in carload lots. All other

freight on lcl shipments is handled by the motor carrier for the Santa Fe Railroad in substituted service. At the present time said freight on lcl shipments is delivered to the station agent at Hoehnes. If this abandonment is authorized, the motor carrier proposes to establish store-delivery service.

In the event the Hoehnes station is authorized to be closed, the ordering of empty cars and the billing of outbound carloads, as a practical matter, can be handled at Trinidad, except for those months when the station is open. Hoehnes is a part of the Trinidad exchange and residents of Hoehnes may call Trinidad without toll payment.

Railway Express Agency revenue and Western Union business at this station is so small that it is insignificant; both Western Union and Railway Express services may likewise be handled through the Agency located in Trinidad.

The applicant likewise adduced evidence involving railroad system of accounting whereby there is an allocation made of revenues allowing the station 50% of the revenue it collects on the basis that the balance of the revenue should be allocated to points of either destination or origin.

A number of protestants appeared who utilize the station agent services at Hoehnes. They established that Hoehnes is basically a farming community with considerable livestock and beet shipments originating in Hoehnes. There has been authorized construction of a dam on the Purgatoire River from which the ranches and farms in the Hoehnes vicinity derive their water. It was the opinion of some of the protesting witnesses that the construction of this dam will increase the need for station service in the area. It is admitted, however, that unless feeding operations were established on an extensive scale which would vitally change the economics of the area that most of the carloads shipped out are in the fall of the year. Other witnesses who received shipments complained of the inconvenience that

would result from the loss of the station agent. The Superintendent of Schools likewise complained of the inconvenience and the downgrading of service that would result in the loss of the agent at Hoehnes especially on water shipments which provided most of the carloads received. It was the special complaint of this witness that the Trinidad agent could not give information on the time of arrival. The protesting witnesses likewise complained of the poor telephone service between Hoehnes and Trinidad because of the number of customers on rural lines and for the lack of personalized service rendered by the local agent. There was also some complaint by the protestant that the substituted services on lcl freight as proposed if the station is allowed to be abandoned would not be as efficient as the service now rendered through the station agent.

F I N D I N G S

THE COMMISSION FINDS:

In examining and analyzing the evidence, it is quite clear that there are practically no outgoing shipments at this station except during the months of October, November, and December; that the average number of carloads received are less than 2 a month; and that a majority of these are for water for the School District. Averaging the out of pocket expense on a monthly basis, it is equally clear that for 9 months of the year the out of pocket expense in this station is greater than the revenue. On the basis of this lack of usage and on the basis of this economic loss during the year except for October, November and December, we are compelled to conclude there is no public convenience and necessity that requires the maintenance of this station and station agent for the said 9 months.

In view of the meager usage of the Express and Western Union services, effect of the abandonment of this station would be insignificant on public convenience.

There is no doubt that the elimination of this agent will

create a situation that is not as convenient as it now exists. A great deal of the complaints in the loss of service, however, seem to be directed to loss of the excellent quality of the service rendered by the agent, who apparently takes particular pains to render specialized and personalized service.

While convenience may be lessened, it is our finding that railroad service will not be impaired and the personal service rendered through the use of the Trinidad station, although not as convenient, is nevertheless adequate to meet the needs of the community as they have been established on this record.

We, therefore, must find that the application to close the station at Hoehnes for nine months of the year is compatible with the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the Atchison, Topeka and Santa Fe Railroad and Railway Express Agency be, and they are hereby, granted authority to discontinue any agency and the maintenance of customary station and agency service at Hoehnes, Las Animas County, Colorado, except for the months of October, November, and December of each year when said station will be reopened for such shipments as may be tendered and authority is hereby further granted to the applicant that business to and from Hoehnes from and after the effective date hereof will be handled on the basis of a prepay station.

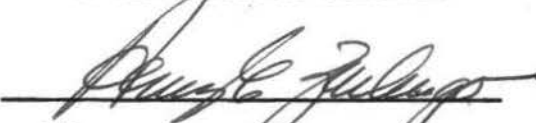
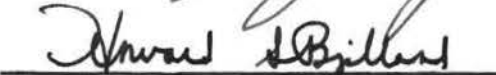
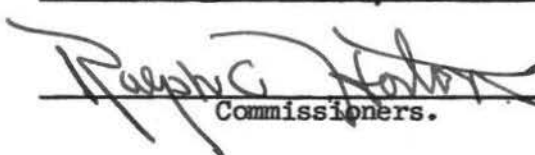
It is further ordered that the applicant in substituted service on lcl shipments shall establish store-delivery where required.

That reference shall be made to this Decision in the affected tariff schedules to show the closing of said station and as authority for such action.

That the Commission shall retain jurisdiction in this matter to make such further Orders as may be required.

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 January, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASED RATES AND CHARGES APPLICABLE)
ON UNCRATED AND UNPACKED MIXED SHIPMENTS)
OF USED, SECOND-HAND PERSONAL EFFECTS AND)
PROPERTY USED OR TO BE USED IN A DWELLING)
OR OFFICE WHEN A PART OF THE EQUIPMENT OR)
SUPPLY OF SUCH DWELLING OR OFFICE; ALSO)
MIXED SHIPMENTS OF FIXTURES, EQUIPMENT,)
AND THE PROPERTY OF STORES WITHIN THE)
METROPOLITAN AREA OF DENVER, COLORADO AND)
ALSO BETWEEN POINTS IN THE STATE OF)
COLORADO.)
-----)

INVESTIGATION & SUSPENSION
DOCKET NO. 500

January 30, 1963

S T A T E M E N T

BY THE COMMISSION:

On September 4, 1962, The Colorado Transfer and Warehousemen's Association, Agent, Helen Fisher, Secretary, 1790 Logan Street, Denver, Colorado, filed various revised pages to its tariffs numbered 2 and 4, Colorado P.U.C. numbers 1 and 2, respectively, scheduled to become effective October 4, 1962, proposing increased rates and charges on personal effects, etc. transported within the Metropolitan area of Denver, Colorado and also between points within the State of Colorado.

Decision No. 59336, dated September 25, 1962 suspended the operation of said schedules to and including February 1, 1963, unless otherwise ordered by the Commission. It now appears that the matter cannot be concluded within the 120 day suspension period and therefore should be further suspended for an additional period of six (6) months.

F I N D I N G S

THE COMMISSION FINDS, That:


The schedules as set forth in Decision No. 59336, published to become effective October 4, 1962, should be further suspended for an additional period of six (6) months or until and including August 1, 1963.

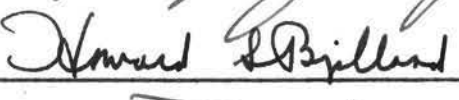
O R D E R

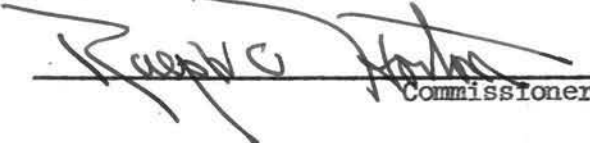
THE COMMISSION ORDERS, That:

1. The Statement and Findings herein be, and they are hereby, made a part hereof.
2. The operation of said schedules set forth in the statement herein, shall be further suspended for an additional period of six (6) months or until and including August 1, 1963, unless otherwise ordered by the Commission and no change shall be made during the said period of suspension.
3. The rates, rules and regulations and provisions sought to be altered shall not be changed by any subsequent tariff or schedule until this investigation and suspension proceeding has been disposed of or until the period of suspension or any extension thereof has expired.
4. Copies of this order shall be filed with each of the said tariffs in the office of the Commission and that a copy be forthwith served upon Helen Fisher, Secretary, The Colorado Transfer and Warehousemen's Association, Agent, 1790 Logan Street, Denver, Colorado.
5. The necessary suspension supplements shall be issued to the tariffs referred to in the statement hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado this
30th day of January, 1963.

JBW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE METHOD OF DETERMINING DISTANCES }
TO BE USED IN ASSESSING DISTANCE }
RATES, ITEM NO. 80 - SOUTHWESTERN }
TRANSPORTATION COMPANY TARIFF NO. }
4, COLORADO P.U.C. NO. 4 } -----

INVESTIGATION AND SUSPENSION
DOCKET NO. 509

January 30, 1963

S T A T E M E N T

BY THE COMMISSION:

On January 11, 1963 under Decision No. 59943, the Commission on its own motion suspended Item No. 80, Exception (4), Tariff No. 4, Colorado P.U.C. No. 4, providing for local distance commodity rates for the transportation of perlite and vermiculite between points and places in Fremont County, Colorado to points and places in Colorado, published and filed by Stanley Blunt, President, Southwestern Transportation Company, 816 Water Street, Canon City, Colorado. Said item provided for a method of computing distances to be used in assessing distance rates. Similar provisions were currently under Suspension and Investigation in Docket No. 490 wherein respondent herein is also a respondent.

On January 21, 1963 respondent filed with the Commission its application No. 1, requesting that it be permitted to publish, on one day's notice, the following item in lieu of suspended Item No. 80.

METHOD OF COMPUTING DISTANCES TO BE USED IN ASSESSING DISTANCE RATES:

- (1) Where mileages are shown in the current Colorado Rand McNally map via improved roads only, such mileages shall be used to determine the distance or portions of such distance via improved roads.
- (2) For distance from and to points not covered by the map referred to in paragraph (1) of this rule, the actual mileage via the shortest practicable route shall be used, except that the map will be used for such portion of the distance as may be provided thereon or ascertainable therefrom.

EXCEPTIONS

- (3) When shipments move under special permits required by and obtained from a municipal or state regulatory body or commission, which specifies therein the route to be traveled by the motor vehicle, the mileage to be used in determining the rate will be that shown in the current Colorado Rand McNally map via route specified in special permit.
- (4) Where, due to flood conditions, conditions of bridges or ferries, it is impractical to operate the truck over highways forming the shortest distance between origin and destination, the most practical route over which the truck can be moved will be shown in the bill of lading and the distance via such route will be used to determine the rate. The bill of lading will also show the reason for the route specified therein.

In the application the respondent represents that the provisions contained in the rule proposed above were prescribed by this Commission in Decision No. 45731 dated April 27, 1956, to apply in connection with provisions published at that time in Section No. 3 of The Motor Truck Common Carriers' Association's Local and Joint Freight Tariff No. 12; that the provisions prescribed by said decision are presently in effect as published on 1st Revised Page No. 35 to the Colorado Motor Carriers' Association, Agent, Motor Freight Tariff No. 14, Colorado PUC No. 13, except that on October 5, 1959, this Commission permitted a change in the map reference from Colorado Department of Highways map to the current Colorado Rand McNally map; that he is informed and believes that the Colorado Motor Carriers' Association Motor Freight Tariff No. 14 does not contain distance rates for the transportation of perlite and vermiculite; nevertheless, if the association were to publish such rates, they would be published in Section No. 1 of that tariff and would thereby be subject to the method of determining distances set forth above, paragraph, exception (4).

F I N D I N G S

THE COMMISSION FINDS, That:

1. The request as sought by Southwestern Transportation Company in its application No. 1 should be granted.

O R D E R

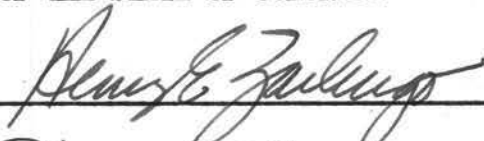
THE COMMISSION ORDERS, That:

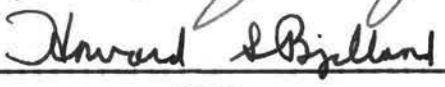
1. The Statement and Findings herein be, and they are hereby, made a part hereof.

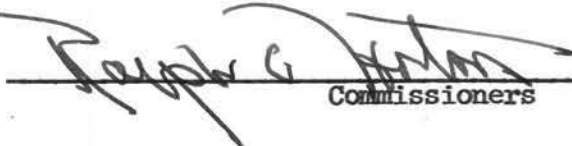
2. The respondent is hereby notified and required to cancel Item No. 80, exceptions (4) under suspension in Docket No. 509, as published in its Motor Freight Tariff No. 4, Colorado PUC No. 4, and in lieu thereof publish the above stated method of computing distances, on or before February 15, 1963, upon notice to this Commission and the general public by not less than five (5) days' filing and posting in the manner prescribed by law and the rules and regulations of the Commission, and that the proceeding be discontinued.

3. This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado
this 30th day of January, 1963.

jbw

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE APPLICATION OF ALVIN CURRY, DOING)
BUSINESS AS W. A. JONES TRANSFER)
COMPANY - COMMODITY RATE - SUGAR)

CASE NO. 1585

January 30, 1963

Appearances: George W. Woodard, Esq., Law Offices of
Moses & Desouchet, Alamosa, Colorado
for W. A. Jones Transfer Company.
Chris Sorenson for Sorenson Truck Service,
Inc., Longmont, Colorado as their interests
may appear.
Howard N. Bull, for American Crystal Sugar
Co., Boston Building, Denver, Colorado, in
support of applicant.
Ernest Porter, Esq., Rio Grande Building,
1531 Stout Street, Denver, Colorado for
Rio Grande Motor Way, Inc., Protestant
A. J. Tait and S. J. Philippon for the Staff
of the Commission.

S T A T E M E N T

BY THE COMMISSION:

By an application filed on May 23, 1962 by W. A. Jones Transfer Company, hereinafter called applicant, permission was requested to file a rate of sixty-five (65) cents per cwt. on sugar transported from Rocky Ford, Colo. to Alamosa, Colorado.

The matter was set for hearing on July 30, 1962, at Denver, Colorado with all parties believed to be interested being duly notified.

On July 27, 1962 the Commission, as provided by law, designated and appointed Edwin R. Lundborg, an employee of the Commission, as an Examiner to conduct the hearing in said matter. Hearing therein was held on July 30, 1962. Subsequent to the hearing, Examiner Edwin R. Lundborg, submitted a report of the proceeding to the Commission.

A witness for the applicant testified that motor carrier operations

were carried on under Certificate of Convenience and Necessity No. 353; ^{1/} that it proposed to establish a rate of 65 cents per cwt, minimum weight of 15,000 lbs., on sugar, transported from Rocky Ford, Colorado to Alamosa, Colorado; that two truckloads of household goods were transported monthly eastbound from Alamosa to the Rocky Ford area; that household goods were transported in a call and demand service throughout the State, 99 per cent of which originated in Alamosa; that American Crystal Sugar Company, herein-after sometimes called American was transporting its own sugar from Rocky Ford to Alamosa; that American was agreeable to a rate of 65 cents per cwt. to be applicable on sugar transported from Rocky Ford to Alamosa; and that applicant would transport American sugar only occasionally and only as back-haul traffic; and that the estimated cost of operating applicant's motor vehicle equipment was twenty-three (23) cents per mile. A late filed exhibit shows the following:

JONES TRANSFER COMPANY
FOR THE PERIOD ENDED DECEMBER 31, 1961

Freight Revenues	\$23,378.72
Freight Operation and Maintenance Expense	19,168.87
Freight Net Operating Profit	<u>\$ 4,209.85</u>
Number of freight vehicles owned	4
Number of freight vehicles operated	4
Number of ton miles traveled	16,884
Number of truck miles operated	10,176
Revenue Per ton mile	1.39
Operating Ratio-Percent	82
Analysis of Freight Handled	<u>Tons</u>
Household goods	180
Liquid Petroleum Products	56

Based on expenses of \$19,168.87 and on truck miles operated of 10,176 miles, the applicant's average cost per mile is \$1.883 as contrasted with the estimated cost per mile of twenty-three (23) cents. In the absence of an explanation of the wide disparity between the estimated cost and that applicable, as an average, to all traffic, we may not give weight to either cost in attempting to determine the lawfulness of the proposed rate.

1/ Decision No. 56324, dated Apr. 24, 1961 shows PUC No. 353 to be owned and operated by "Alvin Curry, Jr. and Marlene Curry, co-partners, doing business as "Jones Transfer Company". By Decision No. 59822, dated December 18, 1962, application No. 19502 - Transfer, applicant herein, was authorized to transfer PUC No. 353 to Imogene T. Jones, doing business as "W. A. Jones Transfer Company", Alamosa, Colorado.

The assistant traffic manager for American Crystal Sugar Co. testifying in support of the application stated that American was hauling its own sugar from Rocky Ford to Alamosa and had been doing so since January of 1956; that scheduled carriers were not transporting sugar from Rocky Ford to Alamosa; that American would go along with the proposed rate of 65 cents minimum 15,000 lbs. applicable on sugar transported from Rocky Ford to Alamosa; that such a rate would be a benefit to American on occasion; that American would continue to operate its own equipment in the handling of sugar from Rocky Ford to Alamosa; that the proposed rate would enable his company to level their stocks by fill in of various weight packages of sugar; that scheduled common carriers had not been asked by American to transport sugar from Rocky Ford to Alamosa; that its sugar was warehoused at Jones Transfer Company, Alamosa; that 314,000 lbs. of sugar had moved in a six months period from the plant of American at Rocky Ford, Colorado to Jones warehouse at Alamosa, Colorado and that no estimate could be given as to the probable amount of sugar that would move via applicant, if the proposed rate became effective.

The traffic manager of Rio Grande Motor Way, Inc. testifying in opposition to the proposed rate stated that in conjunction with its interline connection, Red Ball Motor Freight, Inc., it was performing a daily transportation service between Rocky Ford, Colorado and Alamosa, Colorado handling less-than-truckload and truckload traffic, and that he had no information as to whether sugar had been handled in said service.

Applicant's certificate authorizes it, insofar as this application is concerned, to conduct a transfer, moving and general cartage business in the counties of Alamosa, Saguache, Rio Grande, and Conejos, in the State of Colorado, and for occasional service throughout the State of Colorado, and in each of the counties thereof, subject to the following conditions: for the transportation of commodities other than household goods between points served singly or in combination by scheduled carriers, the applicant shall charge rates which shall be as much as twenty per cent higher in all cases than those charged by scheduled carriers. The applicant shall not operate on schedule between any points.

The present class rates prescribed by us, and applicable on sugar transported from Rocky Ford to Alamosa are, in cents per cwt.

Less than Truckload	139
Minimum weight, 5,000 lbs.	135
Minimum Weight, 10,000 lbs.	132
Minimum Weight, 26,000 lbs.	86

Applicant under its authority must, in the instant case, assess rates "which shall be as much as twenty per cent higher" than those heretofore prescribed and in effect over the lines of scheduled carriers. Thus the proposal of the applicant results in substantial reductions in the rates prescribed by us. This is not to say that the prescribed rates are static and may not be changed on a proper showing that they have become unlawful in the light of reduced costs and increased efficiency of carriers or unrealistic by reason of proprietary competition.

If the applicant here, or any other carrier similarly situated, is to wrest traffic from the proprietary or commercial carrier, it must do so with either rates and charges or service or a combination of these elements. The applicant has elected to transport sugar from Rocky Ford, Colorado to Alamosa, Colorado, occasionally and on the condition that such traffic will be transported only when the movement thereof is balanced with a movement of household goods in the reverse direction. By so conducting the operation, applicant's revenue would be enhanced with the resultant increase in revenue per vehicle mile on those occasions when sugar is transported on the back haul. The scheduled carriers will not, in our opinion be adversely affected by the approval of the proposed rate since the traffic involved has not been and is not now being transported by them and because the volume of such traffic, under the circumstances of record, must necessarily be limited. A denial of the proposed rate would but result in the traffic continuing to move in proprietary carriage with the for-hire carrier being the loser. The proposed rate of 65 cents, minimum 15,000 pounds, is 138.3 per cent of the plains distance commodity rate on sugar of 47 cents, minimum 15,000 pounds, for the prescribed distance of 181 miles and is 166.6 per cent of the distance

commodity rate of 39 cents for the actual highway distance of 143 miles. The distance commodity rates on sugar were prescribed by us.^{1/} The percentage relationship between the proposed rate and the prescribed rate convinces us that the proposed rate is not unduly low.

1/ See Appendix "O" Consolidated Orders, Case 1585, dated March 15, 1943, sugar, originating at Swink, Rocky Ford, or Sugar City, Colorado and destined to points in Colorado located in plains territory.

F I N D I N G S

THE COMMISSION FINDS, That:

1. The application for authority to publish a rate of 65 cents per cwt., minimum 15,000 pounds, applicable on sugar, transported from Rocky Ford, Colorado to Alamosa, Colorado over the lines of Alvin Curry, Jr. and Marlene Curry, co-partners, doing business as Jones Transfer Company should be granted.
2. The report of the Examiner in this matter should be approved.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings herein be, and they are hereby, made a part hereof.
2. The rate and minimum weight and other provisions set out in finding numbered one (1) shall become effective over the lines of applicant only, on or before February 15, 1963, upon notice to this Commission and the general public by not less than five (5) days' filing and posting in the manner prescribed by law and the rules and regulations of the Commission.
3. This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado this
30th day of January, 1963.

jbw

original

(Decision No. 60048)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE MOUNTAIN STATES TELEPHONE &)
TELEGRAPH COMPANY, DENVER, COLORADO,)
FOR AUTHORITY TO CHANGE THE EFFECTIVE)
DATE OF TARIFFS FOR WIDE AREA DATA)
SERVICE (WADS); TELETYPEWRITER EX-)
CHANGE SERVICE (T.W.X.); DEVELOP-)
MENTAL LINE SWITCHED TELETYPEWRITER)
SERVICE (D.L.S.T.T.S.).)

APPLICATION NO. 19591

January 31, 1963

S T A T E M E N T

By the Commission:

On December 8, 1961, the Mountain States Telephone and Telegraph Company, by its Vice President and General Manager, J. H. Miller, filed with this Commission, as a part of its Tariff Colorado P.U.C. No. 5, a new section designated "Developmental Line Switched Teletypewriter Service, Regulations and Schedules of Charges." (D.L.S.T.T.S.) This tariff became effective January 8, 1962, in accordance with the rules and regulations of the Commission. This was a new service offered by the Telephone Company and as the title suggests was in the developmental stages and this tariff was filed so that the Telephone Company could gain experience under this tariff until such time as it would file a permanent tariff subsequent to the development period.

On December 31, 1962, the Mountain States Telephone and Telegraph Company, by its Vice President and General Manager, J. H. Miller, filed a new section in its Tariff Colorado P.U.C. No. 5, designated "Wide Area Data Service Tariff" (WADS), to become effective February 1, 1963. Also on said date, the Telephone Company filed certain revision in its Tariff Colorado P.U.C. No. 5 in its "Teletypewriter Exchange Ser-

vice Tariff" (T.W.X.), also to become effective on February 1, 1963. With the filing of the WADS and revision of the T.W.X. tariffs, the "Developmental Line Switched Teletypewriter Service Tariff" would be withdrawn to be superseded by the above-mentioned two tariffs.

On January 25, Mr. J. H. Miller, Vice President and General Manager of Mountain States Telephone & Telegraph Company, made application to the Commission to change the effective date of the tariff filing of its WADS and T.W.X. tariffs from February 1, 1963, to April 1, 1963, and to extend the "Developmental Line Switched Teletypewriter Service Tariff," which would have expired February 1, 1963, to April 1, 1963.

The specific pages of tariffs involved herein are as hereinafter enumerated. The purpose of the request is to provide the effective date of the WADS and T.W.X. tariffs involved herein be coordinated with the same type of service to be introduced on an interstate basis by means of filings with the Federal Communications Commission (F.C.C.). It was planned to have this type of service inaugurated on February 1, 1963, both on an intrastate and interstate basis. The FCC has requested that the interstate tariff effective date be delayed to April 1, 1963. In view of the circumstances, it would appear to the Commission that the request by Mr. Miller should be granted so that the intrastate service should become effective coincidental with the interstate service. If the Commission were to take no action, these tariffs, WADS and T.W.X. would become effective as of February 1, 1963, and the Developmental Lines Tariff (D.L.S.T.T.S.) would be cancelled as of the same date since the two new tariff filings are to supersede and replace the Developmental Tariff.

The Commission being fully informed in the matter has decided to issue its Order based on the records and files herein, granting the request of Applicant.

F I N D I N G S

THE COMMISSION FINDS:

That for good cause shown the application of Mountain States Telephone & Telegraph Company to suspend the effective date of its "Wide Area Data Service Tariff" (WADS) and certain portions of its "Teletypewriter Exchange Service Tariff" (T.W.X.) and to extend the cancellation date of its "Developmental Line Switched Teletypewriter Service Tariff" (D.L.S.T.T.S.) should be granted.

No customers will be adversely affected by the introduction of WADS and T.W.X. Tariffs and present customers will continue service under the "Developmental Line Switched Teletypewriter Service Tariff" until superseded.

O R D E R

THE COMMISSION ORDERS:

That the effective date of the "Wide Area Data Service Tariff" (WADS), being a part of Mountain States Telephone & Telegraph Company, Tariff Colorado P.U.C. No. 5, be, and it hereby is, extended from February 1, 1963, to April 1, 1963.

That the specific tariff sheets under which said extension applies are as follows:

Title Sheet - Original
Check Sheet - Original
Explanation of Symbols - Original
Section 1 - Regulations and Schedules of Charges
Original Index Sheets 1 and 2
Original Sheets 1 through 32

That the effective date of the revisions to the "Teletypewriter Exchange Service Tariff" of Mountain States Telephone & Telegraph Company, Tariff Colorado P.U.C. No. 5, be, and it hereby is, extended from February 1, to April 1, 1963.

That the specific sheets of the tariff to which said extension applies are set forth as follows:

Title Sheet - Third Revised	
Check Sheet - Second Revised Sheet #1	
Explanation of Symbols - Original	
Section 1 - Regulations and Schedules of Charges	
First Revised Index Sheet 2	First Revised Sheet 21
Fifth Revised Sheet 1	First Revised Sheet 22
Fifth Revised Sheet 2	Second Revised Sheet 25
Fourth Revised Sheet 3	First Revised Sheet 40
Fourth Revised Sheet 12	Second Revised Sheet 41
Third Revised Sheet 13	Original Sheet 42
Fourth Revised Sheet 17	

That the effective cancellation date of the "Developmental Line Switched Teletypewriter Service Tariff" (D.L.S.T.T.S.) be, and it hereby is, extended from February 1 to April 1, 1963.

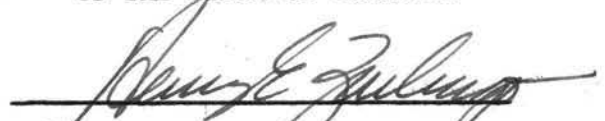


That said time extension applies to the full section of the "Developmental Line Switched Teletypewriter Service Tariff" consisting of a Title Sheet and 27 pages.

That Mountain States Telephone and Telegraph Company shall insert on both its WADS and T.W.X. Tariff Sheets the new effective date and the Decision number of this Order as its authority for said effective date.

That the Commission retains jurisdiction of this matter to make such further Order or Orders as may be necessary.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 31st day of January, 1963.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

A. E. RADINSKY,
1045 ACOMA STREET,
DENVER 4, COLORADO,

Complainant,

vs.

CASE NO. 5221

THOMAS D. LANE TRUCK LINES,
BOX 5472,
TERMINAL ANNEX,
DENVER 17, COLORADO,

Defendant.

February 1, 1963

Appearances: A. E. Radinsky, Denver,
Colorado, pro se;
George F. Harsh, Esq.,
Denver, Colorado, for
Defendant.

S T A T E M E N T

By the Commission:

On June 29, 1962, A. E. Radinsky, the Complainant herein, filed a formal complaint wherein he alleged that he was the consignee of a certain shipment sent prepaid freight from Denver, Colorado, to himself at the Opera House Inn, located in Blackhawk, Colorado, on May 3, 1962; that Thomas D. Lane Truck Lines wrongfully and without just or legal right or cause has failed to deliver said shipment, and despite many requests by consignee or his agent refuses to deliver the same.

As a result of said Complaint, the Commission, on July 2, 1962, served an order on the Defendant to Satisfy or Answer, and on July 20, 1962, the Defendant answered stating that upon receipt of shipment from the shipper, Defendant transported the same to the

Radinsky Opera House Inn in Blackhawk; that upon arrival there, there was no one there to sign or receive said shipment, and that there was no place to unload and leave said shipment as the doors of the building were locked, and that said Opera House fronts on a narrow board walk adjoining streets and extends to the rear up to the alley which are public thoroughfares; that the shipment consisted of one 16' steel beam, two used window sashes with window glass, and two mirror partitions; that Defendant attempted to make delivery and made two appointments with agents of Complainant to deliver said shipments, but upon both occasions no one showed up to accept said goods and Defendant was forced to take said shipment back and unload same at his warehouse; that all other attempts to obtain cooperation of Complainant to take delivery of said goods was refused by Complainant, and Defendant asks that the Complaint be dismissed.

On November 19, 1962, the matter was set down for formal hearing and evidence was taken.

It appears that the shipment was offered to the Complainant, that it was transported to Blackhawk, and Defendant was unable to make delivery. In order to protect the mirrors and glass, he refused to make delivery; that Defendant attempted to make delivery, but could find no one who would sign a receipt on delivery.

The Commission is of the opinion that Defendant was justified in his refusal to make delivery without a receipt for the reason that he would be subject to damages if said mirrors or glass were broken.

We therefore are of the opinion that the Complaint is without merit and Case No. 5221 should be dismissed.

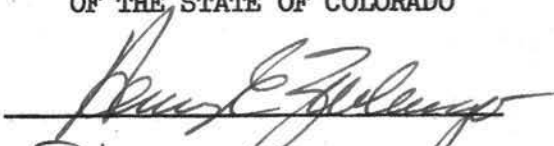
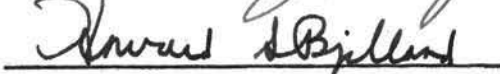

O R D E R

THE COMMISSION ORDERS:

That the Complaint, in Case No. 5221, be, and the same hereby is, dismissed.

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 February, 1963.

mls