(Decision No. 66100)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF THE BLANCA TELEPHONE SYSTEM, BLANCA, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE TELEPHONE SERVICE TO THE GREAT SAND DUNES NATIONAL MONUMENT AND TO CLOSE UP ALL THE AREA AROUND THE MONUMENT THAT HAS NOT BEEN CERTIFIED TO ANY OTHER TELEPHONE COMPANY.	APPLICATION NO. 21464
IN THE MATTER OF THE APPLICATION OF COLUMBINE TELEPHONE COMPANY, A COLORADO CORPORATION, MOFFAT, COLORADO, FOR EXTENSION OF PRESENT CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO INCLUDE THE RIGHT TO SERVE ALL THE TERRITORY COMPRISING THE GREAT SAND DUNES NATIONAL MONUMENT AND TO CLOSE UP ALL THE AREA CONTIGUOUS TO AND SURROUNDING SUCH MONUMENT WHICH HAS NOT HERETOFORE BEEN CERTIFICATED TO TO ANY OTHER TELEPHONE UTILITY.	APPLICATION NO. 21532 Extension

October 19, 1965

Appearances: Elizabeth A. Conour, Esq., Del Norte, Colorado, and Norman W. Mills, Hooper, Colorado, for Applicant, Columbine Telephone Company;
Elwyn Wehe, Blanca, Colorado, for Applicant, Blanca Telephone System;
Luis D. Rovira, Esq.,of Akolt, Shepherd & Dick, Denver, Colorado, for Mountain States Telephone & Telegraph Company, as its interests may appear;
E. R. Thompson, Denver, Colorado, and
J. M. McNulty, Denver, Colorado, of the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

Application No. 21464 was filed with this Commission on August 30, 1965 and by said application the Blanca Telephone System

(Blanca) seeks to provide telephone service in an area in and around the Great Sand Dunes National Monument in Alamosa and Saguache Counties, said area being located north of the presently existing certificated area of Blanca Telephone System.

Application No. 21532 of the Columbine Telephone Company (Columbine) was filed with the Commission on September 30, 1965 and this application also seeks to serve the Great Sand Dunes National Monument and this area also lies adjacent to the presently certificated territory of Columbine Telephone Company.

The applications were set for hearing by the Commission on Tuesday, October 5, 1965 at the Commission Hearing Room, 532 State Services Building, Denver, Colorado, at 9:00 o'clock A.M. The Blanca Notice of Hearing was mailed on September 7th, which provided more than the normal 10-day notice of hearing to the interested parties. Columbine filed simultaneously with its application a Petition requesting that its application be set for hearing on less than statutory notice at the same time and place as the Blanca application. The Commission, by Decision No. 66021, granted the Petition of Columbine and set the Columbine application for hearing with the Blanca application.

At the hearing, there being no objection by any of the interested parties, these matters were heard on a joint record and at the conclusion of the hearing both applications were taken under advisement.

The evidence at the hearing disclosed that both of the applicants herein had received a request from the United States Department of the Interior, National Park Service, for telephone service at the Great Sand Dunes National Monument, Alamosa County, Colorado. The request for service, however, stated that while the National Park Service would like to have each of the companies submit proposals for the service, the National Park Service would only deal with the applicant that received a certificate of public convenience and necessity from this Commission.

Mr. Norman Mills testified on behalf of the Columbine Telephone Company. He introduced as Exhibit No. 2 a letter from the National Park Service requesting that he submit a proposal for providing telephone service to the Sand Dunes area. He also introduced Exhibit No. 3, also a letter from the National Park Service, which letter, in effect, was a reminder for the submission of the proposal to serve the Sand Dunes area. This same exhibit also mentioned that a similar letter had been sent to the Blanca Telephone System. Exhibit No. 4 was an answer to the request for service by Mr. Mills and this set forth the conditions and the charges under which Columbine would render telephone service to the area in question. In brief, Columbine proposes to take over a customer-owned telephone line now serving the Zapata Ranch and, in return for the use of said line, to maintain it and to continue furnishing service to the owner thereof and, by utilizing the line together with additional construction to furnish dial service to the Sand Dunes area. An extension will be made from this line and Columbine proposes to utilize joint construction with the San Luis Valley R.E.A. to the edge of the Sand Dunes National Monument area, and from that point to the actual service area to utilize presently installed underground facilities for the telephone service. This is in compliance with the request of the National Park Service that overhead facilities be held to a minimum in order not todetract from the scenic value of the area. Exhibit No. 5 was a letter confirming the agreement that Columbine would be permitted the use of the privately owned telephone line provided the company maintain the line. Exhibit No. 11 was the commitment from San Luis Rural Electric stating, in effect, that San Luis was willing to enter into negotiations for joint usage with Columbine on their existing electric line. The witness further testified to the cost of serving the Sand Dunes area and also submitted exhibits in regard to the monthly revenue and a transmission loss study. The gist of the testimony by Mr. Mills was to the

effect that, under the existing rates on file with this Commission for the number of telephones requested by the National Park Service, and with a contribution in aid of construction of $4,600, Columbine will furnish this service. Columbine at the present time is making plans to cut its system to dial service from the present magneto service on or about December 4, 1965. That at such time as Columbine has fully developed its dial service, it might be necessary for a company-wide rate adjustment, which might or might not require a change in rates at that time for service to the Sand Dunes area.

Mr. Elwyn Wehe testified on behalf of the Blanca Telephone System. He also stated that he had received a request for telephone service to the Sand Dunes area from the National Park Service. It was his position that he could not furnish this service if it were to jeopardize service to his existing customers. He estimated that it would cost $14,000 for him to render the service to Great Sand Dunes area and if he were to furnish the service, this amount would have to be contributed by the National Park Service. He would apply the rates presently on file with the Commission and there would be a guaranteed minimum per month, depending on the number of phones requested by National Park Service.

At the present time, Mountain States has a radio telephone pay station located in the Sand Dunes area and this connects with its Alamosa Exchange. However, at the hearing, the attorney for Mountain States made the statement that Mountain States did not desire to extend land lines to this area and if a certificate were to be granted to either applicant, it would withdraw its radio telephone service. It took no position as to which applicant should be granted the certificate.

Further evidence at the hearing disclosed that neither applicant has had a request for service in the territory around the Sand Dunes area other than from the National Park Service. Apparent-

ly, at this time in the so-called "open territory" between these two applicants and Mountain States there are no other potential customers desiring service. Both applicants have additional customers not yet receiving telephone service but they are located in the respective certificated areas of the applicants. It is apparent from the testimony that the community of interest of the Sand Dunes area lies with the towns of Hooper and Mosca. Both towns are located within the territory certificated to Columbine Telephone Company. Apparently there are certain families residing in the Sand Dunes area whose children go to school at either Mosca or Hooper. If the area involving the Sand Dunes is granted to Columbine, it will not require a toll call from the Sand Dunes area to the schools where the children are attending. If the certificate is granted to Blanca, it will be necessary for a toll call from the Sand Dunes area to the schools at Mosca or Hooper. Unquestionably, the community of interest lies from the Sand Dunes area to the present certificated area of Columbine. While Blanca Telephone System has a dial system at the present time, Columbine will shortly convert to dial. It is also apparent from the testimony that Columbine will require a smaller contribution from the customer to render the service. The road from Mosca to the Sand Dunes area is an all-weather road and will facilitate maintenance of the proposed line of Columbine.

After a careful review of the exhibits and testimony submitted herein, we feel that telephone service to the Sand Dunes area can best be rendered now and in the future by Columbine Telephone Company and a certificate should be granted to it for this service. Since only one service is necessary, we will consequently deny the application of the Blanca Telephone System. In view of the fact that neither applicant has had requests for service other than in the Sand Dunes area and there appeared to be no potential customers other than the Sand Dunes area at this time, we will limit the area

to be certificated to Columbine to the proximity of the Great Sand Dunes National Monument area, where the service is presently required. Should a request for service be received by either utility in the non-certificated area, under the Public Utilities Act C.R.S. 1963, Chapter 115-5-1, a public utility may extend outside of its certificated area provided it does not come in conflict with another utility of similar character.

F I N D I N G S

THE COMMISSION FINDS:

That it has jurisdiction of the subject matter of both applications herein.

That Blanca Telephone System and Columbine Telephone Company are public utilities subject to the jurisdiction of this Commission.

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

That the Commission is fully advised in the premises.

That a Certificate of Public Convenience and Necessity, to render telephone service to the Great Sand Dunles National Monument located within the territory to be set forth in the Order to follow, should be granted to the Columbine Telephone Company.

That the application of Blanca Telephone System to render telephone service to the Great Sand Dunes National Monument should be denied.

O R D E R

THE COMMISSION ORDERS:

That this Order shall be taken, deemed and held to be a Certificate of Public Convenience and Necessity of the Columbine Telephone Company to render telephone service as a public utility in the following described area:

Beginning at the NW corner of Section 25, T.47 N., R. 9 E.; thence east 5 miles more or less to the Saguache-Fremont County line; thence in a southeasterly direction along the Fremont-Saguache and the Custer-Saguache County line to the intersection of the Saguache-Custer County line with the township lines between Ranges 12 E. and 73 W.; thence south along said Township line 15½ miles more or less to the SW corner of Section 19, T. 26 S., R. 73 W.; thence east 6 miles to the SE corner of Section 24, T. 26 S., R. 73 W.; thence south 5 miles to the NE corner of Section 24, T. 27 S., R. 73 W.; thence west 3 miles to the NE corner of Section 21, T. 27 S., R. 73 W.; thence south 7 miles to the SE corner of Section 21, T. 28 S., R. 73 W.; thence west 8 miles to the SW corner of Section 29, T. 28 S., R. 12 E.; thence north 3 miles to the NW corner of Section 17, T. 39 N., R. 12 E.; thence west 3½ miles to the south center line of Section 10, T. 39 N., R 11 E.; thence south 3½ miles to the center of Section 34, T. 39 N., R. 11 E.; thence west 11½ miles to the west 1/4 corner of Section 35, T. 39 N., R. 9 E.; thence north 7 miles to the west 1/4 corner Section 26, T. 40 N., R. 9 E.; thence east 1½ miles to the center of Section 25, T. 40 N., R. 9 E.; thence north 11½ miles to the north 1/4 corner Section 36, T. 42 N., R. 9 E.; thence east 1/2 mile to the SW corner Section 30, T. 42 N., R. 10 E.; thence north 4 miles to the SW corner Section 6, T. 42 N., R. 10 E.; thence west 4 miles to the SW corner Section 4, T. 42 N., R. 9 E.; thence north 7½ miles to the west 1/4 corner Section 33, T. 44 N., R. 9 E.; thence east 1 mile to the east 1/4 corner Section 33, T. 44 N., R. 9 E.; thence north 6 miles to the west 1/4 corner Section 34, T. 45 N., R. 9 E.; thence east 2 miles to the east 1/4 corner of Section 35, T. 45 N., R.9 E.; thence north 13½ miles to the point of beginning.

That the above described territory comprises the complete area of service of the Columbine Telephone Company heretofore granted and extended by the Certificate of Public Convenience and Necessity issued herein.

That Columbine Telephone Company shall continue to keep its books and accounts in accordance with the Uniform System of Accounts as prescribed by this Commission.

That Columbine Telephone Company shall at all times abide by the Rules Regulating the Service of Telephone Utilities promulgated by this Commission.

That Application No. 21464 of the Blanca Telephone System be, and is hereby denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Done at Denver, Colorado,
this 19th day of October, 1965.

et

Decision No. 66101

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
LUFKIN FOUNDRY AND MACHINE COMPANY)
P.O. Box 58)
Lufkin, Texas)

AUTHORITY NO. M 12410

CASE NO. 13634 Ins.

October 18, 1965

S T A T E M E N T

By the Commission:

On October 10, 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

Commissioners

Dated at Denver, Colorado,
this 18th day of October, 1965

Original

(Decision No. 66102)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE APPLICATION TO PUBLISH ON ONE DAY'S NOTICE RATES ON BARLEY, BREWING, IN BULK AND/OR SEED BARLEY	)	CASE NO. 1585

October 18, 1965

STATEMENT AND FINDINGS

BY THE COMMISSION:

On October 6, 1965, the Colorado Motor Carriers Association, as Agent, filed its Application No. 305 requesting permission to add, upon one day's notice, in item 1405 of Colorado Motor Carriers' Association, Agent, Tariff No. 14, Colorado PUC No. 13*(*The Motor Truck Common Carriers' Association, Agent, Series), for the account of Northcott, Inc. (Certificate 1038), Rio Grande Motor Way, Inc., (Certificate 149), Westway Motor Freight, Inc. (Certificate 701), and Wright Motor Lines, Inc., (Certificate 960), the following:

	From	To	Rate
Barley, Brewing, in bulk, and/or Seed Barley, in bulk or in bags, minimum weight 48,000 pounds	Cortez Colorado	Golden Colorado	65

Rate in cents per 100 pounds

The above request was initiated by Ralph H. Knull, general traffic manager, Rio Grande Motor Way, Inc., under the association's independent action rule. All other carriers party to the above described tariff were notified of this request. The additional carriers shown above have expressed their desire to enter into this publication.

In support of this request, Mr. Knull, in a letter dated September 30, 1965 and forwarded to the Commission, states:

> "In recent years the barley from this area has moved in the farmers own trucks and we have been assured by the Coors Company that publication of this rate will divert this traffic to common carrier trucks.
>
> "A considerable amount of this traffic is still in storage in Cortez and we would appreciate immediate publication so that we might participate in the remainder of this traffic. Based on the above rate and minimum this will produce in excess of 84¢ per mile which would certainly be very attractive to our company from this area."

Under the provisions of Rule 18C, (1), (c), of the Rules of Procedure, the application No. 305, as requested, may be published on one day's notice to the general public and filing with the Commission. Since the proposal appears to represent just, fair and reasonable rates and charges an order should be entered prescribing the said changes.

ORDER

THE COMMISSION ORDERS, that, --

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

2. The rates and charges as set forth in the Statement of this order, subject to the rules and regulations as provided in Colorado Motor Carriers' Association, as Agent, Motor Freight Tariff No. 14, Colorado PUC No. 13*(*The Motor Truck Common Carriers' Association, Agent, Series), shall be the prescribed rates, rules, regulations and provisions of the Commission.

3. All motor vehicle common carriers who are affected by the changes prescribed herein shall publish or cause to be published tariffs reflecting the changes prescribed herein.

4. 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.

5. On and after October 25, 1965, all affected motor vehicle common carriers shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein prescribed.

6. On and after October 25, 1965, all private carriers by motor vehicle operating in competition with any motor vehicle common carrier affected by this order shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed.

7. 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.

8. 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.

9. This order shall become effective forthwith.

10. Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado
this 18th day of October, 1965.

av

orig copy

Decision No. 66103

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
JOHN W. CROSS)
522 Lincoln Street)
Ft. Morgan, Colorado 80701)
)
)
)
-)

AUTHORITY NO. B 6578

CASE NO. 1957 Ins.

October 20, 1965

S T A T E M E N T

By the Commission:

On August 19, 1965, 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

Commissioners

Dated at Denver, Colorado,
this 20th day of October, 1965

(Decision No. 66104)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
DAVID D. BESS, JR., 1100 SOUTH 1ST STREET, MONTROSE, COLORADO.) PERMIT NO. M-6409
)

October 20, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 15, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Edward S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 20th day of October 196 5.

hc

(Decision No. 66105)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
ROBERT HOYE, DOING BUSINESS AS,) PERMIT NO. M-7831
"SPECIALTY SALES COMPANY", P. O.)
BOX 1121, SALINA, KANSAS.)

October 20, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 16, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 20th day of October 196 5.

hc

(Decision No. 66106)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
PAUL E. DAVIS, TRENTON, NEBRASKA.) PERMIT NO. M-12608
)
)

October 20, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 4, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Harold D. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 20th day of October 1965.

hc

(Decision No. 66107)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JESS V. McKINSTER, DOING BUSINESS AS "PARKER TRASH REMOVAL," PARKER, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 5032 TO GLENN R. NELSON, DOING BUSINESS AS "PARKER TRASH REMOVAL) PARKER, COLORADO.	APPLICATION NO. 21543-Transfer

October 20, 1965

Appearances: Robert D. Means, Esq., Denver, Colorado, for Transferor and Transferee.

STATEMENT AND FINDINGS

BY THE COMMISSION:

Heretofore, Jess V. McKinster, doing business as "Parker Trash Removal," Parker, Colorado, was granted the following operating rights (PUC No. 5032) authorizing:

> Transportation of ash and trash, rubbish, waste and discard of every nature, within and between points within a 12-mile radius of Parker, Colorado, to dumps and designated disposal places in Douglas County, Colorado.

By the above-styled application, said Jess V. McKinster, doing business as "Parker Trash Removal," seeks authority totransfer said operating rights to Glenn R. Nelson, doing business as "Parker Trash Removal," Parker, Colorado.

Said application was regularly set for hearing before the Commission, and at the conclusion of the hearing, the matter was taken under advisement.

Attorney for Transferor and Transferee appeared at the hearing and testified in support of the application, stating that consideration for said transfer is $1,500; that Transferee has a net worth of $36,000, and has had ten years' operating experience.

The Commission, having considered the record and files, states and finds that no one protests the granting of the instant application; that Transferee will have sufficient equipment and experience to properly carry on the operation; that 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, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Jess V. McKinster, doing business as "Parker Trash Removal," Parker, Colorado, be, and hereby is, authorized to transfer all right, title,and interest in and to PUC No. 5032 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Glenn R. Nelson, doing business as "Parker Trash Removal," Parker, Colorado, subject to encumbrances against said operating rights, if any, approved by this Commission.

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 the terms of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order, shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

The right of Transferee to operate under this Order shall depend upon 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 20th day of October, 1965.

et

Original

(Decision No. 66108)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JESS V. McKINSTER, DOING BUSINESS AS "McKINSTER TRUCK LINE," PARKER, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 37 TO DOUGLAS COUNTY TRANSFER, INC., PARKER, COLORADO.	APPLICATION NO. 21546-Transfer
IN THE MATTER OF THE APPLICATION OF JESS V. McKINSTER, DOING BUSINESS AS "McKINSTER TRUCK LINE," PARKER, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 491 AND PUC NO. 491-I TO DOUGLAS COUNTY TRANSFER, INC., PARKER, COLORADO.	APPLICATION NO. 21547-Transfer
IN THE MATTER OF THE APPLICATION OF JESS V. McKINSTER, DOING BUSINESS AS "McKINSTER TRUCK LINE," PARKER, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 2093 TO DOUGLAS COUNTY TRANSFER, INC., PARKER, COLORADO.	APPLICATION NO. 21548-Transfer
IN THE MATTER OF THE APPLICATION OF JESS V. McKINSTER, DOING BUSINESS AS "McKINSTER TRUCK LINE," PARKER, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT NO. A-72 TO DOUGLAS COUNTY TRANSFER, INC., PARKER, COLORADO.	APPLICATION NO. 21549-PP-Transfer

October 20, 1965

Appearances: Robert D. Means, Esq., Denver, Colorado, for Transferor and Transferee.

STATEMENT AND FINDINGS

BY THE COMMISSION:

Heretofore, Jess V. McKinster, doing business as "McKinster Truck Line," Parker, Colorado, was granted the following operating rights:

PUC NO. 37:

Transportation of farm products, including livestock, but excluding milk and cream, between points within a 15-mile radius of Parker, Colorado, and from and to points in said area, to and from points in the State of Colorado; extended to include the transportation of rock from quarries within a radius of 25 miles of Castle Rock, Colorado, between points in said area, and from said area to Denver, and Colorado Springs, Colorado, and a five-mile radius of each of the above cities.

PUC NO. 491 & I:

Transportation, not on schedule, of livestock and general farm commodities (excluding milk and cream) from and to points within a radius of 15 miles of Parker, Colorado, to and from all points in the State of Colorado; 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;

Transportation of construction and building materials and equipment, farm supplies, and used household goods and furniture, from point to point and in and out, to and from all points in the State of Colorado, in the following base area, to-wit: All of Douglas County, Colorado; that part of Arapahoe County east of U. S. Highway No. 87 south of Colorado State Highway No. 88, and west of Lowry Field Bombing Range of the U. S. Air Force, and all of that part of Elbert County north of but not including Colorado State Highway 86, and west of Box Elder Creek, excepting from this territory, however, that southeast part of Douglas County east of U. S. Highway 85-87 and south of Colorado State Highway No. 86, and that part of PUC Nos. 491 and 491-I providing for the transportation not on schedule of livestock and general farm commodities (excluding milk and cream), shall be carried on in the above base area, not already included in said certificate, and into and out of said area, to and from all points in the State of Colorado; and between all points in the State of Colorado and the state line where all highways cross same in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended. That Applicant shall not establish a branch office or have an agent employed in any other city, town, or locality than Parker, Colorado, for the purpose of developing business.

PUC NO. 2093:

Call and demand service for the transportation of livestock, and general farm commodities, excluding milk and cream, from and to all points within a radius of 15 miles of Hilltop, to and from all points within the State of Colorado.

Transportation of freight (excluding livestock, general farm commodities, milk and cream) between the following described territory: commencing at Hilltop, in Douglas

County; thence northwest approximately 2½ miles on the main public highway; thence returning southeast on the said route approximately one mile to the public highway leading south; thence south on the said highway approximately 4 miles to a public road running northwest where they connect with the additional route hereinafter described; also commencing at Hilltop; thence southeast on the public highway to the County Line between Douglas and Elbert Counties approximately one mile; thence east on the said public highway one mile; thence south 2 miles; thence east 2 miles; thence south 3 miles to a point on the highway in Elbert County just west of Elizabeth; thence west on the public highway 4 miles, crossing the County Line and returning into Douglas County approximately one mile; thence north 2½ miles; thence northwest 2½ miles, and Denver, Colorado (PUC 456 portion of which was transferred and consolidated with this number).

PERMIT NO. A-72:

Freight, between Denver and Elbert, Colorado; transportation of milk, only, to Denver from the area described as: Beginning at the SE corner of Sec. 18, T. 10 S., R. 63 W.; thence north to the NE corner of Sec. 6, T. 9 S., R. 63 W.; thence west to the NW corner of Sec. 1, T. 9 S., R. 64 W.; thence north to Colorado Highway 86; thence west via Highway 86 to the NW corner of Sec. 15, T. 8 S., R. 65 W.; thence south to the SW corner of Sec. 15, T. 10 S., R. 65 W.; thence east to the point of beginning, including the right to transport back empty milk containers.

By the above-styled applications, said Jess V. McKinster, doing business as "McKinster Truck Line," seeks authority to transfer said operating rights to Douglas County Transfer, Inc., Parker, Colorado.

Said applications were regularly set for hearing before the Commission, and were heard on a consolidated record, and at the conclusion of the hearing, the matters were taken under advisement.

At the hearing, Attorney for Transferor and Transferee testified in support of the applications, stating that Transferee herein has a net worth of $20,000; that consideration for transfer of above-entitled operating rights is $7,000 cash to be paid on authorization; that Transferee has had three years experience in conducting such transportation services.

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

The Commission, having considered the record and files, states and finds that no one protests the granting of the instant applications; that Transferee will have sufficient equipment and experience to properly carry on the operations; that Transferee's financial standing is established to the satisfaction of the Commission; 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 Jess V. McKinster, doing business as "McKinster Truck Line," Parker, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 37, PUC No. 491, PUC No. 491-I, PUC No. 2093 and Permit No. A-72 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Douglas County Transfer, Inc., Parker, Colorado, subject to encumbrances against said operating rights, if any, approved by this Commission.

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

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificates have been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of 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 certificates up to the time of transfer of said certificates.

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 the terms of this Order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

The right of transferee to operate under this Order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering operations under said permit up to the time of transfer of said permit.

Thie 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 20th day of October, 1965.

original

(Decision No. 66109)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF THELMA COXEN, WIDOW OF CALVIN COXEN, DECEASED, 9620 WEST 13TH AVENUE, DENVER, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT NO. B-4653 TO WILLIAM E. COXEN, 9620 WEST 13TH AVENUE, DENVER, COLORADO.

APPLICATION NO. 21339-PP-Transfer
SUPPLEMENTAL ORDER

October 20, 1965

Appearances: Thelma Coxen, Denver, Colorado, pro se;
William E. Coxen, Denver, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On August 18, 1965, the Commission entered its Decision No. 65597 in the above-styled application, authorizing Thelma Coxen, Widow of Calvin Coxen, Deceased, to transfer Permit No. B-4653 to William E. Coxen.

The Commission is now in receipt of a communication from applicants requesting cancellation of said Permit No. B-4653.

The Commission states and 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. 65597, dated August 18, 1965, be, and the same hereby is vacated, set aside and held for naught, and that Permit No. B-4653 be, and the same hereby is cancelled and revoked.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 20th day of October, 1965
et

(Decision No.66110)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF JOE N. CLARK AND J. AMON MURLEY, JR., DOING BUSINESS AS "RGM VAIL TAXI," GILMAN, COLORADO.	PUC NO. 5668

October 20, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On September 3, 1964, upon request of the above-named carrier, the Commission entered its Decision No. 63429, authorizing suspension of PUC 5668 until February 2, 1965, it being therein provided that unless request for reinstatement of said authority be received prior to expiration of said suspension period, said operating rights would be revoked.

Through inadvertence, said certificate-holder failed to request reinstatement of said operating rights, and now requests further suspension of operations thereunder, nunc pro tunc, from February 2, 1965 until February 2, 1966.

The Commission states and finds that said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Joe N. Clark and J. Amon Murley, Jr., doing business as "RGM Vail Taxi," Gilman, Colorado, be, and hereby are, authorized to further suspend operations under PUC No. 5668, nunc pro tunc, from February 2,1965 until February 2, 1966.

That unless prior to the expiration of said suspension period a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of

the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 20th day of October, 1965.

et

(Decision No.66111)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF R. E. DOUGHMAN, 1102 33rd AVENUE, GREELEY, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-6708.	APPLICATION NO. 21461-PP-Extension

October 20, 1965

Appearances: R. E. Doughman, Greeley, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, R. E. Doughman, Greeley, Colorado, was authorized to operate as a Class "B private carrier by motor vehicle for hire, (Permit No. B-6708) authorizing the transportation of:

> bulk grain, alfalfa, and beet pellets, between points within a radius of 60 miles of Greeley, Colorado.

By the above-styled application, said permit-holder seeks authority to extend operations under Permit No. B-6708 to include the right to transport bulk grain, alfalfa, beet pellets, and sugar beets, between points within a radius of 130 miles of Greeley, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, he will enter into special carriage contracts to provide needed and specialized service for certain shippers who have requested his proposed service; that

he has ample and suitable equipment, sufficient net worth and operating experience with which to render said service.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and filed and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed extended transportation services; that applicant will have sufficient equipment and experience to properly carry on said proposed extended operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that applicant s proposed extended operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; 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 R. E. Doughman, Greeley, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-6708 to include the transportation of bulk grain, alfalfa, beet pellets, and sugar beets, between points within a radius of 130 miles of Greeley, Colorado; and this ORDER shall be deemed to be, and be, a PERMIT 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 20th day of October, 1965

et

(Decision No. 66112)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ORAN H. BIRD, ROUTE 2, FORT MORGAN,)
COLORADO, FOR AUTHORITY TO EXTEND) APPLICATION NO. 21456-PP Extension
OPERATIONS UNDER PERMIT NO. B-6695.)

October 20, 1965

Appearances: Oran H. Bird, Fort Morgan, Colorado, pro se;
Royce D. Sickler, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc. and Larson Transportation Company.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Oran H. Bird, Fort Morgan, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire, Permit No. B-6695, authorizing 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 being restricted against the use of tank vehicles.

By the above-styled application, said permit-holder seeks authority to extend operations under said Permit No. B-6695 to include the right to transport:

> logs, poles, and timber products, from forests to sawmills, places of storage and loading points within a radius of 75 miles of said forests; rough lumber, from sawmills in said 75-mile radius to markets in the State of Colorado, with no town-to-town service; finished

lumber, from point to point within a radius of 150 miles of sawmills and places of storage.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

Report of the Examiner states that at the hearing, Applicant herein, moved to amend his application by deleting from his request for authority the following:

> "Finished lumber, from point to point within a radius of 150 miles of sawmills and places of storage."

Since the above was restrictive in nature, the application was ordered amended as indicated in the motion. Thereupon, Mr. Royce Sickler, on behalf of the Protestants above-named, requested that said protest be withdrawn.

Oran H. Bird, the Applicant herein, appeared and testified in support of the application as amended, stating if authority herein sought is granted, he will enter into special carriage contracts to provide needed and specialized service for certain shippers who have requested his proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to render said service.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed extended transportation services; that Applicant will have sufficient equipment and experience to properly carry on said proposed extended operation; that Applicant's financial standing is established to the satisfaction of the

Commission; that it does not appear that Applicant's proposed extended operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; 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 Oran H. Bird, Fort Morgan, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-6695, to include the transportation of logs, poles and timber products, from forests to sawmills, places of storage and loading points within a radius of 75 miles of said forests; rough lumber, from sawmills in said 75-mile radius to markets in the State of Colorado, with no town-to-town service; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

That this Order is made part of the permit granted to Applicant.

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 20th day of October, 1965.

et

(Decision No. 66113)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ROBERT A. GOSSELIN, DOING BUSINESS AS "R & R TRASH REMOVAL SERVICE," 2950 WEST 74TH AVENUE, WESTMINSTER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21418-PP
SUPPLEMENTAL ORDER

October 20, 1965

Appearances: Robert A. Gosselin, Westminster, Colorado, pro se;
Leslie R. Kehl, Esq., Denver, Colorado, for Metropolitan Trash, Inc., Best-Way Disposal, and Alex Gerlach.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On September 27, 1965, the Commission entered its Decision No. 65928 in the above-styled application.

On October 18, 1965, "Petition for Rehearing on Behalf of Protestants," was filed with the Commission by Protestants herein, by Leslie R. Kehl, Attorney.

The Commission states and finds that said Petition should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That "Petition for Rehearing on Behalf of Protestants," filed with the Commission by Protestants herein, by Leslie R. Kehl, Attorney, on October 18, 1965, be, and the same hereby is, granted, said matter to be later set for rehearing before the Commission with notice to all parties in interest.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 20th day of October, 1965.

et

(Decision No. 66114)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE AIR CARRIER OPERATIONS OF VEST AIRCRAFT AND FINANCE CO., P. O. BOX 624, AURORA, COLORADO.	)))	APPLICATION NO. 12843-Transfer SUPPLEMENTAL ORDER

October 20, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission is in receipt of a communication from Vest Aircraft and Finance Company, P. O. Box 624, Aurora, Colorado, requesting suspension of operations under certificate of public convenience and necessity authorizing operations as a common carrier, by airplane, granted by Decision No. 42437, dated April 9, 1954, for a period of six months from July 1, 1965.

The Commission states and finds that the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Vest Aircraft and Finance Company, P. O. Box 624, Aurora, Colorado, be, and hereby is, authorized to suspend operations under certificate of public convenience and necessity granted by Decision No. 42437, dated April 9, 1954, from July 1, 1965, until January 1, 1966.

That unless said certificate-holder shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said air carrier certificate, file insurance, and otherwise comply with all requirements of the Commission appli-

cable, 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 20th day of October, 1965.

et

Original

(Decision No.66115)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
YAMPA VALLEY READY MIX CONCRETE INC.,)
P. O. BOX 577, CRAIG, COLORADO, FOR)
A CLASS "B" PERMIT TO OPERATE AS A) APPLICATION NO. 21457-PP
PRIVATE CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

October 20, 1965

Appearances: Claus J. Hume, Esq., Craig, Colorado, for Applicant;
Peter J. Crouse, Esq., Denver, Colorado, for Don Ward, Inc.;
Royce D. Sickler, Esq., Denver, Colorado, for Larson Transportation Company.

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 (1) sand, gravel and other road-surfacing materials between points in Moffat, Rio Blanco and Routt Counties; (2) coal from mines in Moffat, Rio Blanco and Routt Counties to Craig, Colorado, and a 40-mile radius thereof; (3) bulk and sack cement between points and places within a 75-mile radius of the railhead at Craig, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

Report of the Examiner states that at the hearing, Mr. Claus J. Hume, on behalf of the Applicant, moved to amend the

application to delete therefrom the following:

> "(3) Bulk and sack cement between points and places within a 75-mile radius of the railhead at Craig, Colorado."

The above motion being restrictive in nature was granted and the application ordered amended by deleting therefrom the above-mentioned wording. Thereupon, on behalf of the Protestants, Mr. Crouse and Mr. Sickler, withdrew their protest.

Report of the Examiner further states that George Bobby Joe Mitchell, Craig, Colorado, appeared and testified that he is presently the Vice President and Manager of the Yampa Valley Ready Mix Concrete, Inc., a Colorado corporation, and that the corporation owns sufficient and adequate equipment to provide the service herein sought; that applicant corporation is financially able to fully fulfill any contracts for transportation and to provide additional equipment if needed; that applicant corporation will enter into special carriage contracts to provide needed and specialized service for certain shippers who have requested the proposed service.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation service; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that Applicant's proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; 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 Yampa Valley Ready Mix Conrete Inc., Craig, 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 between points in Moffat, Rio Blanco, and Routt Counties; coal, from mines in Moffat, Rio Blanco and Routt Counties to Craig, Colorado, and a 40-mile radius thereof; and this ORDER shall be deemed to be, and be, 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 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 20th day of October, 1965

et

Original

(Decision No. 66116)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF THE WESTERN COLORADO POWER COMPANY, A COLORADO CORPORATION, MONTROSE, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO EXERCISE FRANCHISE RIGHTS IN THE CITY OF TELLURIDE, SAN MIGUEL COUNTY, COLORADO, FOR THE PURCHASE, TRANSMISSION, DISTRIBUTION AND SALE OF ELECTRICAL ENERGY IN SAID CITY OF TELLURIDE.	APPLICATION NO. 21485

October 20, 1965

APPEARANCES: Strang, Campbell and Cashen, by Herbert L. Strang, Esq., Montrose, Colorado, for Applicant.

S T A T E M E N T

BY THE COMMISSION:

The above entitled application was filed with this Commission on September 13, 1965 and by it Western Colorado Power Company seeks a Certificate of Public Convenience and Necessity from this Commission to exercise franchise rights in the City of Telluride for the furnishing of electric service in said city and to the residents thereof.

This matter was set for hearing by the Commission after due notice to all interested parties on Wednesday, October 13, 1965 at 1:00 o'clock P.M. in the District Court Room of the Court House of Montrose, Colorado. At said time and place, this matter was duly heard by the Commission and at the conclusion of the hearing taken under advisement. No one appeared in opposition to the granting of this application.

Western Colorado Power Company (Western) is a corporation duly organized under the laws of the State of Colorado with its principal office and place of business at Montrose, Colorado. It is

a public utility subject to the jurisdiction of this Commission engaged primarily in the generation, transmission, distribution and sale of electric energy at various locations within the southwestern part of the State of Colorado.

A certified copy of applicant's Articles of Incorporation, together with all amendments thereto, has heretofore been filed with this Commission.

Mr. L. J. Baudino, Vice President and General Manager of Western, testified at the hearing in regard to the instant application. Western has been supplying electric service to the City of Telluride by virtue of a franchise previously granted to the company, which franchise was due to expire on July 1, 1965. Western obtained a new franchise from the city which was duly passed, recorded, and accepted in writing by the company, the new franchise to become effective July 2, 1965 upon the expiration of the prior franchise. The new franchise, being Ordinance No.199, is entitled as follows:

> "AN ORDINANCE GRANTING TO THE WESTERN COLORADO POWER COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC LIGHT, HEAT AND POWER FRANCHISE."

The term of the franchise is for a period of twenty-five (25) years and a copy of said franchise was introduced at the hearing as "Exhibit A." As of July 1, 1965 Western was serving 285 customers with electric service within the corporate limits of Telluride. The company presently has invested in the electric system furnishing distribution service approximately $100,000 of net investment. Mr. Baudino estimated that, during the period of the new franchise, Western would expend approximately $350,000 for new equipment and facilities to render electric service to the city. The above figure will be used in setting the fee for the issuance of the Certificate sought herein but will not be binding upon the Commission should the question of rates or valuation be at issue.

Telluride is located approximately 10 miles from the Ames Hydroelectric plant of Western and two 12 KV lines extend from the plant to Telluride. The Ames plant has a generating capacity of 4,000 KW. In addition to the Ames plant, the system supplying the city is interconnected by transmission lines to other generating plants of Western and Western, in turn, is interconnected with large power pools covering the western United States. The company has adequate power both for now and in the future to supply the requirements of the city. Western will continue to use the rates, rules and regulations presently on file with this Commission for future service until changed in accordance with the law or the Rules and Regulations of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of the applicant herein, Western Colorado Power Company, and of the subject matter of 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 a Certificate of Public Convenience and Necessity should be issued to Western Colorado Power Company for the exercising of franchise rights granted in and by Ordinance No. 199 of the City of Telluride, for the generation, transmission, distribution and sale of electricity in said city by Western.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require and will require the exercise by Western Colorado Power Company of franchise rights granted in and by Ordinance No. 199 of the City of Telluride, State of Colorado, as set forth in "Exhibit A", introduced at the hearing and made a part hereof by reference, for the generation,

transmission, distribution and sale of electric energy by Western Colorado Power Company in said city and this Order shall be taken, deemed and held to be a Certificate of Public Convenience and Necessity therefor.

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

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

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 20th day of October, 1965.

et

(Decision No. 66117)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF YAMPA VALLEY ELECTRIC ASSOCIATION, INC., A CORPORATION, STEAMBOAT SPRINGS, COLORADO, FOR AN ORDER AUTHORIZING THE ISSUANCE OF SECURITIES AND THE APPLICATION OF THE PROCEEDS THEREFROM TO CERTAIN LAWFUL PURPOSES.) APPLICATION NO. 21521-Securities

October 20, 1965

Appearances: Marvin L. Brown, Esq., Steamboat Springs, Colorado, for Applicant;
E. R. Thompson, Denver, Colorado, of the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

By this application the Yampa Valley Electric Association, Inc. (later herein referred to as the "Association") seeks authority to borrow from the Rural Electrification Administration $852,000 to be evidenced by a mortgage note identified as "REA Project Designation: Colorado 36-N Routt", maturing over a period of thirty-five (35) years and bearing interest at two per cent (2%) per annum; to authorize a certain supplemental mortgage securing payment of said note; and to approve an amendment dated as of July 1, 1965, to amending loan contract dated as of August 20, 1954, as amended between the Yampa Valley Electric Association, Inc. and the United States of America, 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, October 11, 1965, at 9:00 o'clock A.M. in the hearing room of the Commission, 532 State Services Building, Denver, Colorado, and was there 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.

The Association is engaged in the business of purchasing, acquiring, accumulating, transmitting, distributing, furnishing and selling electricity to its members and to non-member consumers in the counties of Routt, Moffat, Eagle, Grand and Rio Blanco in the State of Colorado, and in Carbon County in the State of Wyoming. The Association, applicant herein, is a corporation organized under the laws of the State of Colorado and its Articles of Incorporation and all amendments thereto properly certified are on file with the Commission in connection with Public Utilities Commission Application No. 9049, Decision No. 30008; Application No. 11541, Decision No. 37967; and Application No. 12219 Amended, Decision No. 50287, and by Transmittal of Amendment dated June 15, 1963 by letter dated August 22, 1963.

The Association's witness, Mr. James A. Golden, Manager, testified summarily as follows: The Association needs additional funds for the purpose of furnishing electric energy to persons not receiving central station electric service and for the construction, completion, extension and improvement of the properties of the Association and for the improvement and maintenance of this service, and for the reimbursement of monies actually expended for some of said purposes from income of the Association, and for other lawful purposes. In order to acquire such funds, the Association has entered into an amendment dated July 1, 1965 to the amending loan contract with the United States of America, acting through the Administrator of the Rural Electrification Administration dated as of August 20, 1954, as amended, whereby the Government agreed to lend and the applicant agreed to borrow a sum not exceeding $7,632,000, Exhibit A, entered into evidence. In compliance with this amending loan contract, the

United States Government proposes to loan the Association $852,000, to be evidenced by a mortgage note in such principal amount, Exhibit B, secured by a supplemental mortgage, Exhibit C, herein.

The said sum of $852,000 is to be expended over the next two years for the following electric facilities:

Approximately 79 miles of distribution line to serve 302 consumers	$ 174,667
Conversion and line changes in rural areas, Steamboat Springs, Baggs and Maybell	61,200
New substations at P & M Coal Company and Keystone (U.S.B.R.)	75,500
Substation improvement at Baggs, Maybell and Seneca Coal Company	2,500
Transformers, meters, service wires, sectionalizing equipment, regulators, street and yard lights	194,300
Reimbursement of general funds already spent for distribution facilities	88,717
2.5 miles of transmission line	23,000
Line changes from Craig to the Craig rural substation	38,500
Relocating transmission line at Hayden Airport	25,000
Right-of-way procurement and engineering fees	6,000
Reimbursement of general funds previously expended for transmission facilities	71,078
Reimbursement of general funds previously spent on headquarters facilities	91,538
	$852,000

Of the $852,000, approximately $33,250 will be spent in the State of Wyoming.

The financial statements of the Association, introduced into evidence as Exhibits D, E, F and G, set forth the operating results for the year 1964 and for the 8 months ended August 31, 1965. As of August 31, 1965, long term debt amounted to $4,793,049, and

total equities amounted to $722,101 or approximately 13% of total capitalization. As of December 31, 1964 the Association had paid ahead on its debt to the Rural Electrification Administration $273,044; also the Association had restricted funds amounting to $270,000 and current cash of $78,102. The operating statement for the year 1964 showed patronage capital and operating margins of $108,044. For the year to date, ending August 31, 1965, this corresponding amount was a deficit of $21,450. The change in earnings of the Association has been brought about by the closing of the Union Carbide Corporation Nuclear Division Mill at Rifle, Colorado in December, 1964. Union Carbide provided approximately 10% of the revenues of the Association. Estimated patronage capital and operating margins for the year 1965 is $8,000.

The feasibility study prepared in connection with the application of this loan to the Rural Electrification Administration indicates that the Association will have patronage capital and operating margins of $27,735 for the year approximately two years hence and after the expenditures of the $852,000 for additional electric facilities.

Mr. Golden stated that the Association was current in its payment of interest and repayment of debt to the Rural Electrification Administration and that, in his opinion, the Association would be able to meet the additional debt requirements incurred by the borrowing of the $852,000 applied for herein.

F I N D I N G S

THE COMMISSION FINDS:

That this Commission has jurisdiction of the Yampa Valley Electric Association, Inc., as to its properties, facilities and operations located in the State of Colorado.

That the Commission is fully advised in the premises.

That the above foregoing Statement be incorporated as a part of these findings by reference.

That the issuance by Yampa Valley Electric Association,Inc. of the mortgage note in the principal amount of $852,000, Exhibit B, should be authorized and approved.

That the issuance by Yampa Valley Electric Association,Inc. of a supplemental mortgage, Exhibit C, should be authorized and approved.

That the issuance by Yampa Valley Electric Association,Inc. of the amendment dated as of July 1, 1965 to amending loan contract dated as of August 20, 1954 as amended, Exhibit A, should be authorized and approved.

That authorization and approval of the above described commitments by Yampa Valley Electric Association, Inc. should pertain only to expenditures of borrowed funds within the State of Colorado.

That the use of borrowed funds by Yampa Valley Electric Association, Inc. for the purposes set forth in the foregoing statement are not inconsistent with the public interest or with the provision of the law governing such transactions and should be approved.

That within one hundred twenty (120) days of the final execution of the instruments herein, applicant should file with the Commission one conformed executed copy of each of the said instruments.

O R D E R

THE COMMISSION ORDERS:

That the issuance by Yampa Valley Electric Association, Inc. of the mortgage note in the principal amount of $852,000, Exhibit B, be, and the same is hereby, authorized and approved.

That the issuance by Yampa Valley Electric Association, Inc. of the supplemental mortgage note, Exhibit C, be, and the same is hereby, authorized and approved.

That the issuance by Yampa Valley Electric Association, Inc. of the amendment dated as of July 1, 1965 to the amending loan contract dated as of August 20, 1954 as amended, Exhibit A, be, and the same is hereby, authorized and approved.

That authorization and approval above given relate only to that portion of the borrowed funds to be expended by the Association within the State of Colorado.

That within one hundred twenty (120) days of the final execution of the instruments authorized herein, applicant shall file with this Commission one conformed executed copy of each of said instruments.

That the Commission retain jurisdiction to the end that it may make such further Order or Orders in the premises as it may deem to be proper or desirable.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 20th day of October, 1965.

et

Original

(Decision No. 66118)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE ISSUANCE OF TEMPORARY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER CHAPTER 115-9-4 (2) CRS 1963, FOR EMERGENCY MOVEMENT OF WET SUGAR BEET PULP.

APPLICATION NO. 21576

October 19, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Report has been received by the Commission from Frank Pagliano, Supervisor, Complaint and Investigation Division of this Commission, indicating that an emergency exists because of shortage of trucks for transportation of wet sugar beet pulp from the sugar beet factories back to the farms.

Request is made for an Order of the Commission relative to issuance of temporary certificates of public convenience and necessity for this transportation.

The Commission states and finds that an emergency exists because of the shortage in certificated trucks for transportation of wet sugar beet pulp from the sugar beet factories back to the farms in the Counties of Morgan, Logan, Larimer and Weld, State of Colorado, and that public convenience and necessity require that temporary certificates of public convenience and necessity should issue for the operation of motor vehicles for this transportation, as provided by Chapter 115-9-4 (2) CRS 1963, said certificates to be effective for a period of ninety (90) days, commencing October 19, 1965.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity be, and hereby are, authorized to be issued for the operation of motor vehicles, for the transportation of wet sugar beet pulp from the sugar beet factories back to the farms in the Counties of Morgan, Logan, Larimer and Weld, State of Colorado, said certificates to be effective for a period of Ninety (90) days, commencing October 19, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 19th day of October, 1965.

et

(Decision No. 66119)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
BONN-A-WOOD CORPORATION, 1346 WEST CEDAR AVENUE, DENVER, COLORADO.) PERMIT NO. M-3037

October 22, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 28, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Harold L. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 22nd day of October 196 5.

(Decision No. 66120)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
BERNARDINO SANCHEZ, JR., 2406 WEST 13TH, PUEBLO, COLORADO.) PERMIT NO. M-3987
)

October 22, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 7, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Edward J. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 22nd day of October 196 5.

hc

(Decision No. 66121)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
JACOB SCHMIDT, JR., P. O. BOX 41,) PERMIT NO. M-8715
SUGAR CITY, COLORADO.)
)

October 22, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 21, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold L. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 22nd day of October 196 5.

hc

(Decision No. 66122)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
CLYDE A. CUMMINGS AND RUTH E. CUMMINGS,)
DOING BUSINESS AS, "CUMMINGS FURNI-) PERMIT NO. M-10173
TURE COMPANY", 204 SOUTH UNION AVENUE,)
PUEBLO, COLORADO.)

October 22, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 12, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Edward J. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 22nd day of October 196 5.

hc

(Decision No. 66123)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
E. W. WIRTH, DOING BUSINESS AS,) PERMIT NO. M-11647
"ALLIED TRAILER SALES", 10409 EAST)
COLFAX AVENUE, AURORA, COLORADO.)

October 22, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 4, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard L. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 22nd day of October 196 5.

hc

(Decision No. 66124)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
EARL PHIPPS, DOING BUSINESS AS,)
"SIMPSON SEED COMPANY", 1515 CHAMPA) PERMIT NO. M-12182
STREET, DENVER 2, COLORADO.)
-)

- - - - - - - - - -
October 22, 1965
- - - - - - - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 30, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard L. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 22nd day of October 196 5.

hc

(Decision No. 66125)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
A-1 MOBILE HOMES, INCORPORATED, 9720 WEST COLFAX AVENUE, LAKEWOOD, COLORADO.) PERMIT NO. M-15621

October 22, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective August 21, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 22nd day of October 196 5.

hc

(Decision No. 66126)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
WILLIAM E. COXEN, 9620 WEST 13TH AVENUE, LAKEWOOD, COLORADO.) PERMIT NO. M-1142
)
)

- -

- - - - - - - - - -
October 22, 1965
- - - - - - - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 24, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Edward S. Bjelland

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 22nd day of October 1965.

hc

Original

(Decision No.66149)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HAROLD C. KIRBY, MR. EUGENE J. URBAN)
AND MR. J. ROBERT STONE ON BEHALF OF)
THEMSELVES AND OTHERS SIMILARLY SITU-) APPLICATION NO. 21411
ATED FOR AN ORDER AUTHORIZING PUBLIC)
SERVICE COMPANY OF COLORADO TO RENDER)
STREET LIGHTING SERVICE IN AN UNIN-)
CORPORATED AREA IN JEFFERSON COUNTY.)

October 26, 1965

Appearances: D. D. Cawelti, Esq., Denver, Colorado, for Public Service Company of Colorado;
P. M. Brown, Denver, Colorado, of the Staff of the Commission.

STATEMENT

BY THE COMMISSION:

This is an application by Mr. Harold C. Kirby and others, representing themselves and all other customers similarly situated, for an order authorizing Public Service Company of Colorado (Public Service) to install, operate and maintain street lighting service in an unincorporated area in Jefferson County, as shown on the map identified as Exhibit A attached to the application, and as hereinafter more fully described.

The matter was set for hearing, after due notice to interested parties, on September 10, 1965, at 9:00 o'clock A.M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and was heard at that time and place. Four persons appeared at the hearing to protest details of the street lighting proposal.

No petitions of intervention were filed prior to the hearing.

A petition for street lighting service addressed to Public Service was circulated among the residents of an area in which 42 customers now receive electric service. Of the 42 customers, signa-

tures were obtained of 34, or a percentage of 81% of the total number of customers. Said petitions were submitted as Exhibit Nos. B-1 through B-2 respectively. The tariff of Public Service, providing for street lighting in unincorporated areas, states, among other things, that street lighting in an established area otherwise qualifying will be provided upon receipt by Public Service of a petition from all electric customers within the area or upon an order or decision of this Commission directing street lighting service to be established in the area. Since 8 customers did not sign, Public Service could not install street lights without an order of the Commission.

Principal spokesman for Applicants was Mr. Harold C. Kirby. Mr. Kirby testified no street lighting now exists in the area contemplated in this application. He stated that police protection was inadequate and that there had been incidents of thefts and vandalism which might have been prevented by adequate lighting. He also testified that adequate street lighting was essential from the standpoint of traffic safety.

Also present in support of the application, though not testifying were five other persons who are residents of the area.

V. J. Schroeder, 667 Cody Court, Mrs. E. J. Urban, 660 Cody Court, John F. Douglas, 655 Cody Court, and Robert Ewin, 645 Cody Court, appeared with objections to the type of installation and possible location of street lighting poles. There was no opposition to street lighting. One suggestion was the street lighting should be of the ornamental type with metal poles and buried cables. It was explained by witness for Public Service the present application and costs contemplate the use of wood poles and overhead wires. If an ornamental system were to be installed, the cost would be greater and the Company's extension plan contained in its tariff would apply. This would require a contribution in aid of construction of $25 to $50 or more per customer and quite likely unanimous agreement would not be obtained. Other objections were to possible pole locations.

Engineering of the system has not been completed to the point of locating the poles. Still another felt the light intensity may be too high and fewer lights could be used. Again the Company witness explained good design placed a maximum separation between lights. Other factors which operate to reduce the separation are hills, street curvature and other obstructions. It is the plan of the Company to install a properly designed street light system, cooperating, to the extent possible, in the matter of pole locations.

Mr. J. H. Ranniger, an engineer, in the Rate Department of Public Service, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, Public Service is ready, willing and able to install street lighting in the area. No construction contributions are required of electric customers and, as provided in the tariff, a charge of $0.45 per month per customer will be made. The engineering of the street lighting for the area has already been undertaken. It will require approximately 30 days to make the initial system operational. 7,000 lumen mercury vapor vertically operated, non-ornamental lights will be provided. Service will be furnished in accordance with tariff sheets, Colorado P.U.C. No. 4 - Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B.

The proposed street lighting system was estimated to cost $974 which will be provided from internal funds of Public Service.

F I N D I N G S

THE COMMISSION FINDS:

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

That 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 requires 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, mercury vapor street light system in accordance with the provisions of its Tariff, Colorado PUC No. 4 - Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262 A and Original Sheet No. 262B, now existing or as it may be changed under the rules of this Commission, or according to law.

That street lights, approximately 6 in number, shall be installed as required in the area described as follows:

> Beginning at the intersection of the center line of the West 6th Avenue Service Road with the west lot lines extended of the lots west of Cody Court; thence north along said west lot lines to the northwest corner of the lot numbered as 695 Cody Court, across West 7th Avenue and continuing north along the west lot line and to the northwest corner of the lot numbered as 8551 West 7th Avenue; thence east along the north lot lines of the lots north of West 7th Avenue to the northeast corner of the lot (presently vacant) northeasterly of the lot numbered as 690-92 Cody Street; thence south along the east lot line of said lot, across West 7th Avenue and continuing south along the east lot lines of the lots east of Cody Street to the north lot line of the lot numbered as 8440 West 6th Avenue; thence east along a portion of said lot line to the West line of Carr Street; thence south along said West line of Carr Street to the center line of the West 6th Avenue Service Road; thence west along said center line to the Point of Beginning.

That 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
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of October, 1965.

et

orig copy

Decision No. 66150

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
WILLIAM J. FLORYANIC DBA)
BILL'S SUPER MARKET)
P.O. Box 297)
Palisade, Colorado)
)
-)

AUTHORITY NO. M 10476

CASE NO. 2549 Ins.

- - - - - - - - - - - - - - - -
October 26, 1965
- - - - - - - - - - - - - - - -

S T A T E M E N T

By the Commission:

On October 7, 1965, 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. Zarlengo
Harold D. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 26th day of October, 1965

Decision No. 66151

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
ARKANSAS POULTRY COOPERATIVE INC.)
Box 359)
Bentonville, Arkansas)
)
)
)

AUTHORITY NO. PUC 5087-I M 5221

CASE NO. 2663 Ins.

October 26, 1965

S T A T E M E N T

By the Commission:

On October 7, 1965, 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. Zarlengo

Harold D. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 26th day of October, 1965

Decision No. 66152

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
LAMBERT AND ARNOLD BURGER)
DBA BURGER BROTHERS)
Johnstown, Colorado)
)
)
)

AUTHORITY NO. M 6159

CASE NO. 2746 Ins.

October 26, 1965

S T A T E M E N T

By the Commission:

On October 21, 1965, 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. Zarlengo

Howard S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 26th day of October, 1965

Decision No. 66153

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
BOYKO INSTITUTIONAL SUPPLY COMPANY INC.)
415 East Cucharras)
Colo. Springs, Colo.)
)
)
)

AUTHORITY NO. M 12845

CASE NO. 2764 Ins.

October 26, 1965

S T A T E M E N T

By the Commission:

On October 21, 1965, 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. Zarlengo

Harold D. Gilland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 26th day of October, 1965

Original

(Decision No. 66154)

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

RE COMMODITY RATES ON PETROLEUM AND PETROLEUM PRODUCTS, IN BULK IN TANK TRUCKS AND/OR TANK TRAILERS BY MOTOR VEHICLE	)	CASE NO. 1585

October 26, 1965

STATEMENT AND FINDINGS

BY THE COMMISSION:

On October 1, 1965, Colorado Motor Carriers' Association, Agent, for and on behalf of Carriers participating in its tariff No. 16, Colorado PUC No. 14, filed 1st revised page 17-A and 2nd revised page 19 thereto; Groendyke Transport, Inc., filed 1st revised page 10-A and 5th revised page 12 to its tariff No. 7, Colo PUC No. 7; and Ward Transport, Inc., filed 6th revised page 21 and 6th revised page 26 to its tariff No. C-3, Colo PUC No. 3. The revisions provide for increases and a reduction in rates applicable on petroleum and petroleum products, in bulk, in tank trucks, as defined in items 10 and 20, Appendix A to Decision No. 65847, Case 1585, dated September 14, 1965. The proposed rate changes are scheduled to become effective November 2, 1965.

By our Decision No. 65847, rates and charges were prescribed on specified petroleum products on an interim basis to be applicable until the general investigation of petroleum and petroleum products commodity rates instituted by Decision 63702, Cases numbered 1585 and 5232, dated September 16, 1964, is concluded. The presently prescribed rates are proposed to be changed as follow:

FROM:		Denver, Colorado			
To	Miles	A	A-1	B	B-1
Colorado		(Rates in Cents per Gallon)			
Colorado Spgs.					
Present	69	.726	.610	.814	.684
Proposed	69	.750	.610	.800	.723
Pueblo					
Present	112	.957	.850	1.073	.953
Proposed	112	1.060	.901	1.200	1.020

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 schedules. Since the proposals appear to represent just, fair and reasonable rates and charges an order should be entered prescribing said changes.

The Commission hereby expressly retains jurisdiction of this matter to enter such further order or orders as the facts and circumstances may warrant.

ORDER

THE COMMISSION ORDERS, That, --

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

2. The proposed rates, set forth in the Statement and Findings hereof, shall be Commission prescribed rates, having application on an interim basis.

3. All motor vehicle common carriers who are affected by the changes prescribed herein shall publish or cause to be published tariffs reflecting the changes prescribed herein.

4. 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.

5. On and after November 2, 1965, all affected motor vehicle common carriers shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein prescribed.

6. On and after November 2, 1965, all private carriers by motor vehicle operating in competition with any motor vehicle common

carrier affected by this order shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed.

7. 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.

8. 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.

9. This order shall become effective forthwith.

10. Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Commissioner Ralph C. Horton necessarily absent and not participating.

Dated at Denver, Colorado
this 26th day of October
1965

av

(Decision No. 66155)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RALPH J. VILLEGOS, 2331 GROVE STREET,)
DENVER, COLORADO, FOR A CLASS "B") APPLICATION NO. 21566-PP
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

October 26, 1965

Appearances: Ralph J. Villegos, Denver, Colorado, pro se.

STATEMENT

BY THE COMMISSION:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire.

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, at 10:00 o'clock A.M., October 25, 1965, and at the conclusion of the evidence, the matter was taken under advisement.

Ralph J. Villegos appeared and testified that he is the owner of a 1958 dump truck which he plans to utilize to render service if the authority sought herein is granted. His net financial worth is in excess of $5,000. He has had over 14 years' experience in the operation of trucks. He is familiar with the rules and regulations of the Commission and the Statutes of the State of Colorado and will comply therewith if the authority is granted. Upon the granting of authority, he plans to enter into contracts with contractors and other individuals for the rendition of service. Temporary authority was issued to the Applicant on October 14, 1965 and the Applicant has been rendering service under such temporary authority since that time.

F I N D I N G S

THE COMMISSION FINDS:

That no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation services; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satis faction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of 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 Ralph J. Villegos, 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 75 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 75 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 75 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 75 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, 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

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 26th day of October, 1965.

et

Original

(Decision No. 66156)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF WARD TRANSPORT, INC., P. O. BOX 133, PUEBLO, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZING EXTENSION OF OPERATIONS UNDER PUC NO. 1497.

APPLICATION NO. 21488-Extension

October 26, 1965

Appearances: Leslie R. Kehl, Esq., Denver, Colorado, for Applicant;
Joseph F. Nigro, Esq., Denver, Colorado, for copy of Order.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicant herein is presently the owner and operator of PUC No. 1497, being the right to operate as a common carrier by motor vehicle for hire.

By the above-styled application, said certificate-holder seeks authority to extend operations under PUC No. 1497, to include the right to transport:

> (1) sulphuric acid, in bulk, in tank vehicles, from Denver and Louviers, Colorado, to Minnequa, Colorado, and (2) Ammonia sulphate solutions, in bulk, from Minnequa, Colorado, to Denver, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Mr. Leslie R. Kehl, on behalf of the Applicant, moved to amend the application to insert in the request for authority after the words "Louviers, Volorado," the words "to the plant site of the Colorado Fuel and Iron Corporation located at Minnequa, Colorado," and deleting "to Minnequa." The motion to amend as stated, being restrictive in nature, was granted by the Examiner.

Donald S. Smith, Commerce City, Colorado, Sales and Traffic Manager for Ward Transport, Inc., testified that the purpose of the within application was to extend the authority of the Applicant under PUC No. 1497 so that it would have authority to transport sulphuric acid in bulk in tank vehicles from Denver and Louviers, Colorado, to the plant site of the Colorado Fuel and Iron Corporation at Minnequa, Colorado, and to transport ammonia sulphate solutions in bulk from Minnequa, Colorado to Denver, Colorado. He also stated that the request for the extended authority will not duplicate any of the existing carriers which the Applicant has under PUC No. 1497.

Mr. Smith identified Exhibit 6 as a list of the various terminals maintained by Ward Transport, Inc. and the equipment list. He identified Exhibit 7 as a financial statement of Ward Transport, Inc. setting forth a balance sheet and also a profit and loss statement both as of July 31, 1965. Mr. Smith advised that the within application was made at the request of Colorado Fuel and Iron Corporation which has also requested Ruan Transport Corporation to make a similar application. Mr. Smith also stated that at the present time, the Applicant does not have the tank vehicles required for this type of transportation but such vehicles are on order and when received will be dedicated to the use of Colorado Fuel and Iron Corporation for the purposeof transporting sulphuric acid and ammonia sulphate solutions. He explained that if the within application is approved, the Pueblo and Denver terminals of the Applicant will be used in

this transportation operation.

He further stated that Ward Transport, Inc. and its personnel are experienced in the transportation of liquid commodities in bulk and, therefore, are well qualified to provide this service for the Colorado Fuel and Iron Corporation. He stated also that the amendment proposed by counsel for the Applicant as heretofore permitted, is agreeable with the Applicant; and that the officers and personnel of the Applicant are acquainted with the rules, regulations and laws of the State of Colorado pertaining to common carriers and such rules, regulations and laws will be carefully observed and followed.

Frederick C. Broadway, Jr., Denver, Colorado, General Traffic Manager for Colorado Fuel and Iron Corporation, stated that his company is supporting the within application and also a similar application before the Commission of Ruan Transport Corporation. He stated that both applications are being supported inasmuch as his companyis of the opinion that because of the large volume of shipments of sulphuric acid and ammonia sulphate solutions to and from the plant of the Colorado Fuel and Iron Corporation, located at Minnequa, Colorado, it will be necessary to utilize the services of two common carriers for this purpose. He further stated that he knows of no other common carrier who has this authority at the present time. He explained that shipments of sulphuric acid will be delivered to the Minnequa Plant. This commodity is used in the coke making process and that a by-product of this process is ammonia sulphate solutions which must be transported back to Denver, Colorado for use in the production of commercial fertilizer.

Mr. Broadway said that his company has determined that Ward Transport, Inc. is an experienced and qualified operator and well qualified to handle these transportation needs of the Colorado Fuel and Iron Corporation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that a definite need exists in the area as herein involved for the applicant's proposed extended service; that Applicant will have sufficient equipment and experience with which to carry on said proposed extended operation; that Applicant's financial standing is established to the satisfaction of the Commission; that the present and future public convenience and necessity requires and will require the proposed extended service of the Applicant; and 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 Ward Transport, Inc., Pueblo, Colorado, be, and hereby is, authorized to extend operations under PUC No. 1497 to include the transportation of (1) sulphuric acid, in bulk, in tank vehicles, from Denver and Louviers, Colorado, to the plant site of the Colorado Fuel and Iron Corporation at Minnequa, Colorado, and (2) ammonia sulphate solutions, in bulk, from Minnequa, Colorado to Denver, Colorado; and this ORDER shall be deemed to be, and 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

Commissioners

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 26th day of October, 1965

et

Original

(Decision No. 66157)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RUAN TRANSPORT CORPORATION,KEOSAUQUA)
AT THIRD, DES MOINES, IOWA, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE) APPLICATION NO. 21489-Extension
AND NECESSITY, AUTHORIZING EXTENSION)
OF OPERATIONS UNDER PUC NO. 1515.)
- - - - - - - - - - - - - - - - - - -

- - - - - - - -
October 26,1965
- - - - - - - -

Appearances: Leslie R. Kehl, Esq., Denver,
Colorado, for Applicant;
Joseph F. Nigro, Esq., Denver,
Colorado, for Copy of Order.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicant herein is presently the owner and operator of PUC No. 1515, being the right to operate as a common carrier by motor vehicle for hire.

By the above-styled application, said certificate-holder seeks authority to extend operations under PUC No. 1515, to include the transportation of ammonia sulphate solutions, in bulk, from Minnequa, Colorado to Denver, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Dean A. Schipper, Denver, Colorado, Sales Representative of the Special Products Division of Ruan Transport Corporation, testified that the purpose of the within application is to provide a service for the Colorado Fuel

and Iron Corporation plant at Minnequa, Colorado. He explained that Ruan Transport Corporation has ample and adequate equipment to transport ammonia sulphate solutions and that the financial status of the corporation is good. Mr. Schipper stated that Ruan Transport Corporation specializes in the hauling of various liquid substances in bulk and has the specialized equipment necessary for this purpose. He also stated that Ruan will transport sulphuric acid to the plant of Colorado Fuel and Iron Corporation at Minnequa, Colorado, and return to Denver with the ammonia sulphate solutions produced at the Colorado Fuel and Iron plant. He stated that this solution is used in the processing of commercial fertilizer. Mr. Schipper also explained that Ward Transport, Inc. is also making application for the transportation of sulphuric acid to Minnequa and ammonia sulphate solutions from Minnequa to Denver. He advised that Ruan was not protesting this application inasmuch as the shipper, Colorado Fuel and Iron Corporation, has indicated that it will require the services of two common carriers because of the volume of shipments which will be involved.

Mr. Schipper identified Exhibit Nos. 1, 2, 3, 4 and 5 which pertain to the equipment, the financial status, and the safety program of Ruan Transport Corporation. He further stated that he and the other officers and employees of the Ruan Transport Corporation, which maintains its principal office at Keosauqua at Third, Des Moines, Iowa, and a terminal office at Denver, Colorado, are well acquainted with the Colorado rules, regulations and laws pertaining to common carriers and will carefully observe such rules, regulations and laws.

Frederick C. Broadway, Jr., Denver, Colorado, General Traffic Manager for the Colorado Fuel and Iron Corporation, testified that ammonia sulphate solutions are produced at the plant of the Colorado Fuel and Iron Corporation at Minnequa, Colorado; that ammonia sulphate solutions are a by-product of the coke making process which also involves the use of sulphuric acid. He stated because of the

volume of business anticipated, the Colorado Fuel and Iron Corporation was supporting the within application and also a similar application made by Ward Transport, Inc. He stated that because of the volume of business, it would be necessary to have the services of two common carriers who have the special equipment and experience necessary to transport sulphuric acid and ammonia sulphate solutions. Mr. Broadway stated that his company is acquainted with the operation of both Ruan Transport Corporation and Ward Transport, Inc. and believes both of these operators to be well qualified to handle these transportation needs of the Colorado Fuel and Iron Corporation.

Mr. Broadway further related that he knows of no existing common carrier who has the authority at the present time to haul sulphuric acid to Minnequa, Colorado and return to Denver, Colorado with ammonia sulphate solutions.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that a definite need exists in the area herein involved for the applicant's proposed extended service; that applicant will have sufficient equipment and experience with which to carry on said proposed extended operation; that applicant's financial standing is established to the satisfaction of the Commission; that the present and future public convenience and necessity requires and will require the proposed extended service of the applicant; and 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 Ruan Transport Corporation, Des Moines, Iowa, be, and

hereby is, authorized to extend operations under PUC No. 1515 to include the transportation of ammonia sulphate solutions, in bulk, from Minnequa, Colorado, to Denver, Colorado; and this ORDER shall be deemed to be, and 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

Commissioners

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 26th day of October, 1965.

ma

Original

(Decision No. 66127)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MISSOURI PACIFIC RAILROAD COMPANY,)
543-550 THATCHER BUILDING, 511 NORTH)
MAIN STREET, PUEBLO, COLORADO, FOR) APPLICATION NO. 20382
AUTHORITY TO RETIRE TRACK NO. 1 AT)
WERME, COLORADO.)

October 20, 1965

Appearances: Leo S. Altman, Esq., Pueblo, Colorado, for Applicant;
John Werme, Jr., and John A. Werme, Boone, Colorado, Protestants;
Homer H. Osborne, Boone, Colorado, Protestant;
Frank A. Kemp, Jr., Denver, Colorado, Protestant;
John L. McNeill, Denver, Colorado, of the Staff of the Commission.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-styled application, Applicant seeks authority to retire and remove a siding track at Werme, Colorado, because of non-use.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

Report of the Examiner states that at the Hearing, A. W. Rees, Osawatomie, Kansas, Division Superintendent, Missouri Pacific Railroad Company,testified that purpose of the within application is to secure

Public Utilities Commission authority to retire and remove a siding track at Werme, Colorado, because of non-use. He stated that this track is known as Track No. 1 at Werme, Colorado, the location of which is shown on Applicant's Exhibit C which was received in evidence. Track No. 1 at Werme, Colorado, is a private switching spur serving at the present time, a single industry of the J. A. Werme Ranch. It is located at Mile Post 874.16 approximately 23 miles east of Pueblo and two miles east of Boone, Colorado. This track is 1410' long with a rated capacity of 21 cars.

Mr. Rees identified Applicant's Exhibit A as a list of the in-bound and out-bound cars at Werme, Colorado and Boone, Colorado, for the periods since 1961. He indicated that in the past two years the cars either in-bound or out-bound using Track No. 1 at Werme, Colorado, amounted to practically nothing and therefore, the railroad had made a determination to retire this track, remove it, and salvage the materials. Mr. Rees identified Applicant's Exhibit B as the cost of maintenance work presently required on Track No. 1 at Werme, Colorado. He stated that the railroad would have to expend, as indicated on Applicant's Exhibit B, the sum of $1,690.00 to put this track in good condition. He indicated that since Track No. 1 would have very little prospects for future use, such cost on the part of the railroad would amount to a needless expenditure.

Mr. Rees stated that it was common knowledge in the transportation business that the greater percentage of cattle hauls are now by truck. He stated that formerly the storage sheds, feeding facilities and adjacent holding pens along Track No. 1 at Werme, Colorado had provided enough carloads of cattle to justify the installation of the track and its maintenance but that such was no longer the case.

It was also indicated from the testimony of Mr. Rees that Track No. 1 at Werme, Colorado, was usable to service in-bound cars of fertilizer and feed but that even for this purpose, the track has had no use except for two out-bound cars in the past two years.

Mr. Rees stated, during his testimony, that if the railroad realized $1,500 revenue from shipments originating or terminating at Track No. 1, it would be economically feasible to continue to maintain this track.

With reference to maintenance, he stated that the track is in good condition at the present time, and perhaps no maintenance work would be necessary until the Spring of 1966.

Mr. Homer H. Osborne, Boone, Colorado, stated that he has now purchased a substantial portion of the Werme ranch and that he seriously protests the removal of Track No. 1. He stated that such removal would seriously hamper his ranching operations and anticipated plans for shipments of cattle from East Texas. Mr. Osborne stated his present plans call for continuous shipments of cattle from East Texas and on long hauls of this nature, the railroad rate is more favorable than the truck rate and that the use of the railroad is contemplated therefor. He estimated that there would probably be an average of 20 in-bound carloads of cattle per year and an additional 5 cars of feed and fertilizer, which cars would be serviced at Track No. 1 at Werme, Colorado. Mr. Osborne stated if Track No. 1 was removed, he would have to use the facilities at Boone, Colorado which would not be suitable or the facilities at Pueblo, Colorado, which would require trucking and an additional expense.

Mr. Osborne, on cross examination, refused to state that he would guarantee the use of any amount of cars per year but did state that he would be willing to enter into a truck maintenance agreement with the railroad and he would be responsible for the cost of maintaining Track No. 1 at Werme, Colorado.

Mr. John A. Werme, Jr. testified that a substantial portion (being approximately 3/4ths of the Werme Ranch) had been sold to Mr. Osborne. He testified that Track No. 1 at Werme, Colorado together with its adjacent shed, scales, water and cattle pens, is an excellent

facility, and in his opinion, it would be unfortunate to remove the track. Mr. Werme did concede that the Werme Ranch had made very little use of the spur track in the past several years but attributed this fact to drouth conditions and stock feeding contracts with owners of the cattle which reduced his transportation operations by railroad. He stated that Mr. Osborne intends to utilize the ranch property in a different manner, being the direct owner and shipper as his testimony indicated; hence, it would be most desirable as a matter of convenience and necessity to Mr. Osborne's operation that the track facilities be retained. As to the Werme family s use of the balance of the ranch retained by them, Mr.Werme was unable to say whether their future operations contemplated the use of railroad transportation from Track No. 1 either in-bound or out-bound.

Mr. Frank Kemp, Jr., Denver, Colorado, testified that he was representing the Oppenheimer Industries of Kansas City, Missouri, which company is in the business of cattle management and supervises for clients the maintenance of many herds of cattle. He stated that approximately 1,000 head of Oppenheimer Industries cattle have been on the Werme Ranch. He stated, however, this does not involve much transportation since these cattle were principally breeding stock. He stated that the recent sale to Mr. Osborne of a substantial portion of the Werme Ranch indicated a change in this type of operation and that it was his understanding Mr. Osborne intended to transport cattle from East Texas.

Mr. Kemp stated that Track No. 1 and the adjacent facilities at Werme, Colorado is an excellent stock facility and that it would be a shame to remove it. He indicated for the convenience of those ranchers in the area, this facility should be maintained for future use. Mr. Kemp was unable to furnish any details as to the prospects of future use so far as the Oppenheimer Industries of Kansas City was concerned.

Mr. John A. Werme, Sr.,briefly testified that the rail facility at Werme, Colorado was excellent and that its removal would be unfortunate. He also confirmed that approximately 75% of the Werme Ranch had been sold to Mr. Osborne and such sale and possible change of use would mean greater rail shipments either in-bound or out-bound from Track No. 1 at Werme, Colorado.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record, exhibits and files, and the written statement of the Examiner herein, states and finds that Track No. 1 at Werme, Colorado, is not part of the main line track of the Applicant but is a 1410' long spur track used in the past to serve the stock pens of the J. A. Werme Ranch; that said track has not been used recently to any extent and continued non-use or infrequent use would justify retirement and removal; that a large portion of the J. A. Werme Ranch property has now been sold to Mr. Homer H. Osborne, who has agreed to reimburse Applicant for track maintenance if the track is retained and by his testimony, has stated the possibility of using this track for approximately 25 carload shipments per year; that such traffic would justify continued use and maintenance of said track, it being indicated from the evidence that revenue in excess of $1,500.00 or long-haul traffic of about 5 cars per year is required to justify continued maintenance of the track; and that an Order would be proper authorizing retirement and removal of Track No. 1 at Werme, Colorado after January 15, 1967, thereby permitting a trial period to that date, and then only on condition that the Applicant had not realized revenue of $1,500.00 or more for carload shipment in-bound or out-bound from said track during the preceding one year trial period.

O R D E R

THE COMMISSION ORDERS:

That Applicant, Missouri Pacific Railroad Company, Pueblo, Colorado, be, and hereby is, authorized to retire and remove Track No. 1 at Werme, Colorado, after January 15, 1967, after a trial period to that date, and then only on condition that the Applicant has not realized revenue of $1,500.00 or more for carload shipment in-bound or out-bound from said track during the preceding one year trial period.

That this Order is conditioned upon presentation to the Public Utilities Commission of an official railroad statement showing revenue of less than $1,500.00 from carload shipments to or from Track No. 1 at Werme, Colorado, for the preceding one year period.

That if such statement is not presented within 60 days after the effective date of this Order, then this Order authorizing retirement and removal of Track No. 1 at Werme, Colorado, shall be deemed cancelled and shall have no force or effect.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING

Dated at Denver, Colorado,
this 20th day of October, 1965.

et

(Decision No. 66128)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
WALTER H. PERKINS, 6410 BRIGHTON) PERMIT NO. M-972
BOULEVARD, COMMERCE CITY, COLORADO.)
)

October 25, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 3, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard L. Bjelland

Ralph C. Horlow

Commissioners

Dated at Denver, Colorado,
this 25th day of October 1965.

hc

(Decision No. 66129)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
LINCOLN STORE FIXTURE COMPANY, 109) PERMIT NO. M-5599
THIRD STREET, LINCOLN, ILLINOIS.)
)

October 25, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 1, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard L. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 25th day of October 1965.

hc

(Decision No. 66130)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
LAURETTA V. CHRISTENSEN, DOING BUSINESS) PERMIT NO. M-7490
AS, "CHRISTENSEN SURPLUS SALES",)
1800 SOUTH 5TH AVENUE, STERLING,)
COLORADO.)

October 25, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 25, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard L. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 25th day of October 196 5.

hc

(Decision No.66131)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
H.G. CULBREATH, DOING BUSINESS AS,) PERMIT NO. M-10746
"CULLY'S DAIRY", P. O. BOX 27,)
BRECKENRIDGE, COLORADO.)
- -

- - - - - - - - - -
October 25, 1965
- - - - - - - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 4, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard L. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 25th day of October 196 5.

hc

Decision No. 66132

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
STREATER INDUSTRIES, INC.)
Albert Lea, Minnesota) AUTHORITY NO. M 5031
)
) CASE NO. 2784 Ins.
)
)

November 2, 1965

S T A T E M E N T

By the Commission:

On October 21, 1965, 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

Commissioners

Dated at Denver, Colorado,
this 2nd day of November, 1965

bb

(Decision No. 66133)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
IDA B. COUEY AND JAMES R. COUEY,)
DOING BUSINESS AS "COUEY STORAGE &) PUC NO. 349 AND PUC NO.349-I
TRANSFER CO.," 427-447 NORTH CHESTNUT)
STREET, TRINIDAD, COLORADO.)

October 22, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

A written request from the above carrier has been received for a waiver from the Commission of its Rule relating to the filing of cash, or a surety bond, concerning C.O.D. shipments.

Upon full consideration of the matter the Commission states and finds that to grant the request will not be in the public interest and should be denied.

O R D E R

THE COMMISSION ORDERS:

That the request above referred to 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
NECESSARILY ABSENT AND NOT
PARTICIPATING
Dated at Denver, Colorado,
this 22nd day of October, 1965

et

(Decision No. 66134)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF ED GOODWIN, DOING BUSINESS AS "GOODWIN LUMBER & GRAIN," P. O. BOX 588, SYRACUSE, KANSAS.	))))	PUC NO. 5604-I

October 22, 1965

STATEMENT AND FINDINGS OF FACT

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: "Ed Goodwin, doing business as 'Goodwin Lumber & Grain,'" in lieu of: "Ed Goodwin, doing business as 'Pore Boy Lumber & Grain,'" in the conduct of operations under PUC No. 5604-I.

The Commission states and 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. 5604-I to be owned and operated by:

"Ed Goodwin,
doing business as
'Goodwin Lumber & Grain,'"

in lieu of:

"Ed Goodwin,
doing business as
'Pore Boy Grain Co.'"

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
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 22nd day of October, 1965.

et

(Decision No. 66135)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
PHILIP MOBELL, DOING BUSINESS AS,) PERMIT NO. M-14718
"SANTA FE PIANO COMPANY", 735)
BROADWAY, DENVER 3, COLORADO.)

October 27, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 9, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Edward S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 27th day of October 196 5.

hc

(Decision No. 66136)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
BERT OLDHAM, DOING BUSINESS AS,) PERMIT NO. M-14367
"BERT OLDHAM OIL COMPANY", P. O. BOX)
336, LA JUNTA, COLORADO.)

October 27, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 1, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard L. Bjelland

Ralph C. Hoskins

Commissioners

Dated at Denver, Colorado,
this 27th day of October 1965.

hc

(Decision No. 66137)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
PETER J. DEPPERSCHMIDT, 1712 BERKLEY,) PERMIT NO. M-14272
PUEBLO, COLORADO.)
)

October 27, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 2, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Edward S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 27th day of October 196 5.

hc

(Decision No. 66138)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
R. D. REYNOLDS, RURAL ROUTE 2 BOX 40,) PERMIT NO. M-9726
MONTE VISTA, COLORADO.)
)

October 27, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 15, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard L. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 27th day of October 196 5.

hc

(Decision No. 66139)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
VINCENT SAURINI, 7070 DEXTER, COMMERCE) PERMIT NO. M-15803
CITY, COLORADO.)
)

October 27, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 4, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard L. Bijelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 27th day of October 1965.

hc

(Decision No. 66140)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
FLOYD E. WALKER, DOING BUSINESS AS,) PERMIT NO. M-7341
"FLOYD E. WALKER PLUMBING", 1175)
REED, DENVER 15, COLORADO.)

October 27, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 7, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard L. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 27th day of October 196 5.

hc

(Decision No. 66141)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
ARTHUR R. MILLER AND WALTER R. MILLER,) PERMIT NO. M-4470
DOING BUSINESS AS, "ARTHUR MILLER)
PRODUCE", 921 SOUTH PEARL EXPRESS-)
WAY, DALLAS, TEXAS.)

October 27, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 8, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Edward S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 27th day of October 196 5.

hc

(Decision No. 66142)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
ALFRED W. O'BRIEN AND WILLIAM J.) PERMIT NO. M-7041
PANTUSO, DOING BUSINESS AS, "O'BRIEN)
AND PANTUSO SALES COMPANY", 2322)
NORTH AVENUE, GRAND JUNCTION, COLORADO.

- - - - - - - - - -

October 27, 1965

- - - - - - - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 29, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Everard S. Bijelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 27th day of October 196 5.

hc

Original

(Decision No. 66143)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF GENE L. FAILING, DOING BUSINESS AS "ACE TRASH SERVICE," P. O. BOX 701, BUENA VISTA, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 4038 TO JAMES F. GANSKE, DOING BUSINESS AS "BUENA VISTA TRASH SERVICE," BOX 397, BUENA VISTA, COLORADO.

APPLICATION NO. 21511-Transfer

October 26, 1965

Appearances: James F. Ganske, Buena Vista, Colorado, for Applicants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Gene L. Gailing, doing business as "Ace Trash Service," Buena Vista, Colorado, was granted a certificate of public convenience and necessity, PUC No. 4038, authorizing operation as a common carrier by motor vehicle for hire, for the

> Call and demand transportation service for the collecting, transporting, and hauling of ashes, trash, garbage, and other refuse, for hire, between all points within a radius of five miles of the center of the Town of Buena Vista, Colorado, including all territory within the corporate limits of the Town of Buena Vista, Colorado.

By the above-styled application, said certificate-holder seeks authority to transfer PUC No. 4038 to James F. Ganske, doing business as "Buena Vista Trash Service," Buena Vista, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

Report of the Examiner states that at the hearing, James F. Ganske, the Transferee herein, appeared and testified in support of the application, stating he is personally acquainted with the Transferor; that the Transferor, to his knowledge, has continuously operated PUC No. 4038 since granted by the Commission; that there are no outstanding debts or encumbrances against the motor vehicle operations of said PUC No. 4038. Mr. Ganske further testified that he has entered into an agreement to acquire and to operate PUC No. 4038 from the transferor herein; that the consideration for the transfer and certain equipment is the sum of $2,500.00; and that he has ample and suitable equipment, sufficient operating experience and net worth with which to render and to continue operations under PUC No. 4038.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that Transferee will have sufficient equipment and experience to properly carry on the operation; that 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, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Gene L. Failing, doing business as "Ace Trash Service," Buena Vista, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 4038 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to James F. Ganske, doing business as "Buena Vista Trash Service," Buena Vista, Colorado, subject to encumbrances, if any, against said operation, approved by this Commission.

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 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

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 26th day of October, 1965.

et

Original

(Decision No.66144)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF WILLIAM E. ANKENEY, E. D. MAPES, HARRY CONNELL, WALTER H. SHORT AND WALLACE H. SHORT, DOING BUSINESS AS "WELCO MILK LINES," 801 IDAHO STREET, EVANS, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 556 AND PUC NO. 556-I TO WELCO MILK LINES, INC., A COLORADO CORPORATION, 801 IDAHO STREET, EVANS, COLORADO.	APPLICATION NO. 21496-Transfer
IN THE MATTER OF THE APPLICATION OF WILLIAM E. ANKENEY, E. D. MAPES, HARRY CONNELL, WALTER H. SHORT AND WALLACE H. SHORT, DOING BUSINESS AS "WELCO MILK LINES," 801 IDAHO STREET, EVANS, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT NO. B-600 TO WELCO MILK LINES, INC., A COLORADO CORPORATION, 801 IDAHO STREET, EVANS, COLORADO.	APPLICATION NO. 21497-PP-Transfer

October 26, 1965

Appearances: A. J. Meiklejohn, Jr., Esq., Denver, Colorado, for Transferor and Transferee.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Applicants are the owner and holder of PUC No. 556, PUC No. 556-I, and Permit No. B-600 having authority as therein set out and more fully described therein as appears in the records of the Commission.

By the above-styled application, said William E. Ankeney, E. D. Mapes, Harry Connell, Walter H. Short and Wallace H. Short, doing business as "Welco Milk Lines," Evans, Colorado, seek authority to transfer said operating rights to Welco Milk Lines, Inc., a Colorado corporation, Evans, Colorado.

Said applications were regularly set for hearing before the Commission, and were heard, on a consolidated record, by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matters were taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceedings, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, William E. Ankeney, Greeley, Colorado, appeared and testified in support of the granting of the instant applications, stating that he is the managing partner of the transferor partnership; that the transferor partnership has operated under the above authorities for many years at a profit; that Welco Milk Lines, Inc. was created for the purpose of taking ownership of these authorities from the partnership; that he is President of the corporation and a stockholder.

With reference to the stock in the corporation, he stated that it is being held by the above-named partners in the same proportion as indicated from the capital accounts of the partnership. If the within transfer is approved, the corporation will continue operations with the same personnel, equipment and general business policies. He also stated that except for real estate and several items of equipment owned by the partnership, all other assets of the partnership will be transferred to the transferee corporation and it is anticipated the corporation will formally commence functioning October 1, 1965.

Mr. Ankeney identified Exhibit 1 as the Articles of Incorporation of Welco Milk Lines, Inc.; Exhibit 2 as the By-Laws of Welco Milk Lines, Inc.; Exhibit 3 as a financial statement of the partnership Welco Milk Lines; Exhibit 4 as an affidavit of Wallace H. Short, Secretary and Treasurer of Welco Milk Lines, Inc., a Colorado corporation which sets forth the names of the members of the Board of Directors of the transferee corporation; Exhibit 5 as a copy of a

Temporary Authority granted to Welco Milk Lines, Inc. to operate under Permit No. B-600 and PUC No. 556 and I dated September 22, 1965; and Exhibit 6 as an equipment list of Welco Milk Lines, Inc.

Mr.Ankeney further stated that both he and the other officers and personnel of Welco Milk Lines, Inc. are acquainted with the rules, regulations and laws pertaining to common carriers and private carriers and that such rules, regulations and laws will be carefully observed by the transferee corporation if the within application is approved.

Mr. Ankeney also testified that he has read and examined the contents of Application No. 21496-Transfer and Application No. 21497-PP-Transfer and that the contents therein are true and correct except that all of the assets of the partnership will not be transferred as is indicated on Exhibit 6 which reflects several items of equipment indicated by an asterisk will be retained by the partnership and leased to the corporation. Also, Mr. Ankeney noted that the real estate utilized in connection with operations under the above-mentioned authorities will remain in the partnership and be leased to the corporation. Otherwise all other assets are being transferred to the corporation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant applications; that transferee corporation will have sufficient equipment and experience to properly carry on the proposed operations; that Transferee's financial standing is established to the satisfaction of the Commission; 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 William E. Ankeney, E. D. Mapes, Harry Connell, Walter

H. Short and Wallace H. Short, doing business as "Welco Milk Lines," Evans, Colorado, be, and hereby are, authorized to transfer all right, title and interest in and to PUC No. 556, PUC No. 556-I, and Permit No. B-600 to Welco Milk Lines, Inc., a Colorado corporation, Evans, Colorado, subject to encumbrances against said operating rights, if any, approved by this Commission.

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

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said 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.

That said transfer shall become effective only if and when, but not before, said Transferor and Transferee, in writing, have advised the Commission that said permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them,

kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

The right of Transferee to operate under this Order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering operations under said permit up to 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

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of October, 1965.

et

Original

(Decision No. 66145)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF HOME LIGHT AND POWER COMPANY, A CORPORATION, 810 NINTH STREET, GREELEY, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A PUBLIC UTILITY, IN THE DISTRIBUTION OF ELECTRICAL ENERGY IN THE COUNTY OF WELD, STATE OF COLORADO.

APPLICATION NO. 19606-Amended

October 26, 1965

STATEMENT

BY THE COMMISSION:

On April 22, 1964, by virtue of Decision No. 62653, Home Light and Power Company was granted a Certificate of Public Convenience and Necessity in Application No. 19606, set forth above.

On July 15, 1964, Rural Electric Company, a public utility subject to the jurisdiction of this Commission and operating in Colorado and Wyoming, filed a Petition with the Commission seeking an amendment to Decision No. 62653.

Decision No. 62653 has been appealed to the Court and a final decision by the Court in this matter has not yet been made. The Commission is desirous at this time of clearing its Docket and, since it is not timely to set the Petition of Rural Electric Company for hearing, it will dismiss this Petition without prejudice. At such time as Decision No. 62653 has been adjudicated by the Court, Rural Electric Company can again file the Petition, Complaint, or such other document that it deems necessary in regard to its original Petition.

FINDINGS

THE COMMISSION FINDS:

That the Petition of Rural Electric Company filed with this Commission on July 15, 1964 seeking an amendment to Decision No.62653

in Application No. 19606 of the Home Light and Power Company should be dismissed without prejudice.

O R D E R

THE COMMISSION ORDERS:

That the Petition of Rural Electric Company filed with this Commission on July 15, 1964 seeking an amendment to Decision No. 62653 in Application No. 19606 of the Home Light and Power Company be, and is hereby, dismissed without prejudice.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 26th day of October, 1965.

et

Original

(Decision No. 66146)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF RALPH SHERBONDY, BOX 306, MINTURN, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21540

October 26, 1965

Appearances: Ralph Sherbondy, Minturn, Colorado, pro se.

S T A T E M E N T

BY THE COMMISSION:

Applicant herein seeks authority to operate as a common carrier by motor vehicle for hire, for the transportation of garbage, ash and trash in the Vail, Colorado and the Gore Creek area.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at 532 State Services Building, Denver, Colorado, at 2:00 o'clock P.M., October 22, 1965, and at the conclusion of the evidence, the matter was taken under advisement.

Ralph Sherbondy testified that he desires to engage in the business of garbage and ash and trash removal in the vicinity of Vail and Gore Creek area. Vail is located in the Gore Creek area, and actually the Applicant wishes to serve the Village of Vail and a 5-mile radius around Vail. He, of course, desires authority to haul the ash, trash, and garbage to proper dumps whether or not such dumps are located within the 5-mile radius. Vail Associates, Limited now maintains a garbage dump located within a mile of Vail, and he intends to make arrangements with such company to use such dump until he can arrange for dump facilities of his own. The Vail area has developed as a ski resort area in

the last four or five years, and the village and its environs does not presently have a common carrier ash, trash and garbage service, although some services are rendered by Leo Duran under a contract carrier authority. The Applicant herein has had several years' business experience, is a native of the area and is familiar with truck operations, although he has had little or no experience in the trucking business. His estimated financial worth is around $5,000. He presently owns a pick-up, which he will use to render service until such time as the business requires a larger truck. He was requested by real estate interests in Vail to apply to the Commission for this authority, as said real estate people desire to use the service.

F I N D I N G S

THE COMMISSION FINDS:

That no one protests the granting of the instant application; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that public convenience and necessity require Applicant's proposed service, and that certificate of Public Convenience and Necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Ralph Sherbondy, Minturn, Colorado, be, and he hereby is, authorized to operate as a common carrier by motor vehicle for hire, for the transportation of garbage, ash and trash in the Village or Town of Vail and a 5-mile radius thereof, to approved dumps; and this ORDER shall be deemed to be, and 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

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of October, 1965.

et

Original

(Decision No. 66147)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JACK PALMER EXCAVATING, INC., 7050 SOUTH PENNSYLVANIA, LITTLETON, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-6137.

APPLICATION NO. 21553-FP-Extension

October 26, 1965

Appearances: Robert H. Close, Esq., Denver, Colorado, for Applicant.

STATEMENT

BY THE COMMISSION:

Applicant herein is presently the owner and operator of Permit No. B-6137, being the right to operate as a private carrier by motor vehicle for hire, for the transportation of

> sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 150 miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, ro railroad loading points, and to home and small construction jobs within a radius of 150 miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of 150 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 150 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles.

and said permit-holder seeks authority to extend operations under said Permit B-6137, to include the right to transport rip rap materials as required by job specifications, moss rock and flagstone, from quarries and supply points in the State of Colorado, to road and building construction jobs within a radius of 150 miles of said supply points.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at 532 State Services Building, Denver, Colorado, at 10:00 o'clock A.M., October 22, 1965, and at the conclusion of the evidence, the matter was taken under advisement.

Robert H. Close testified that he is the Attorney for Jack Palmer Excavating, Inc., and that he has been directed and authorized to appear at the instant proceeding to represent the Applicant and to testify in support of the application. The Applicant is now the owner and operator of Permit No. B-6137, which in general authorizes the transportation of sand, gravel and other road-surfacing materials all as more fully set forth in Decision No.65738 of this Commission. The Applicant is familiar with the rules and regulations of the Commission and the Statutes of the State of Colorado, and will comply therewith if the authority sought herein is granted. Since the June floods in Colorado, there has been a great demand for the transportation of materials used to rip-rap the banks of streams for the purpose of preventing erosion. Applicant herein has several heavy dump trucks which can be utilized to perform this function, and the Applicant has received many requests for such service. The Applicant also seeks herein to obtain authority to transport moss rock and flagstone to road and building construction jobs and has received several requests for this type of service. Temporary authority was issued to Applicant herein on October 8, 1965 and the Applicant has been conducting operations under such temporary authority since that time. The Applicant has a net financial worth in excess of $30,000. If the authority sought herein is granted, the Applicant plans to enter into contracts with contractors and other individuals for the rendition of service.

F I N D I N G S

THE COMMISSION FINDS:

That no one appeared in opposition to the granting of the instant application, and it did not appear to the Commission that

Applicant's proposed extended service will impair the efficiency of any motor vehicle common carrier service with which he will compete; that operating experience and financial responsibility of Applicant were established to the satisfaction of the Commission; and that authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Jack Palmer Excavating, Inc., Littleton, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-6137 to include the transportation of rip rap materials as required by job specifications, moss rock and flagstone, from quarries and supply points in the State of Colorado, to road and building construction jobs within a radius of 150 miles of said supply points; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

That this Order is made part of the permit granted to Applicant.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of October, 1965.

et

Original

(Decision No. 66148)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ROBERT DeCARLO, 7031 WARREN DRIVE, DENVER, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-6414.

APPLICATION NO. 21554-PP-Extension

October 26, 1965

Appearances: Robert DeCarlo, Denver, Colorado, pro se.

STATEMENT

BY THE COMMISSION:

Applicant herein is presently the owner and operator of Permit No. B-6414, being the right to operate as a private carrier by motor vehicle for hire, for the transportation of

> pouch fertilizer, from Marco Packing Company, at 5600 York Street, Denver, Colorado, to Ruedy Fertilizer plant, 5600 Franklin Street, Denver, Colorado.

and said permit-holder seeks authority to extend operations under said Permit B-6414, 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 75 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 75 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 75 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 75 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 532 State Services Building, Denver, Colorado, at 10:00 o'clock, A.M., October 22, 1965, and at the conclusion of the evidence, the matter was taken under advisement.

Robert DeCarlo, Applicant herein, testified that he is now the owner and operator of Permit No. B-6414, and that he has been furnishing transportation services under such permit for approximately two years. In the instant application, Robert DeCarlo seeks to extend this authority to permit him to transport sand, gravel and other materials all as set forth in the application. He is familiar with the rules and regulations of the Commission as well as the Statutes of the State of Colorado and will comply therewith if the extended authority sought herein should be granted. He estimates that his net financial worth to be in excess of $3,000. He is the owner of a 2-ton GMC dump truck which he plans to utilize to render service. If the authority sought herein is granted, he plans to enter into contracts with contractors and other individuals for the rendition of service. Temporary authority was issued to him October 13, 1965, and he has been operating thereunder since that time.

F I N D I N G S

THE COMMISSION FINDS:

That no one appeared in opposition to the granting of the instant application, and it did not appear to the Commission that Applicant's proposed extended operation will impair the efficiency of any motor vehicle common carrier service with which he will compete; that operating experience and financial responsibility of Applicant were established to the satisfaction of the Commission; and that authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Robert DeCarlo, Denver, Colorado, be, and hereby is, authorized to extend operations under Permit B-6414, to include the transportation of sand, gravel and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to roads jobs, mixer and processing plants within a radius of 75 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 75 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 75 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 75 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

That this Order is made part of the permit granted to Applicant.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of October, 1965.

et

Original

(Decision No. 66158)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF BULK TRANSPORTERS, INC., A COLORADO CORPORATION, P. O. BOX 392, GILCREST, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AUTHORIZING EXTENSION OF OPERATIONS UNDER PUC NO. 4350.

APPLICATION NO. 21494-Extension

October 26, 1965

Appearances: John H. Lewis, Esq., Denver, Colorado, for Applicant;
Leslie R. Kehl, Esq., Denver, Colorado, for Ruan Transport Corporation, as Intervenor in support of the within application;
Joseph F. Nigro, Esq., Denver, Colorado, for copy of Order.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicant herein is presently the owner and operator of PUC No. 4350, being the right to operate as a common carrier by motor vehicle for hire.

By the above-styled application, said certificate-holder seeks authority to extend operations under PUC No. 4350, to include the right to transport

> Liquid feed, in bulk, except molasses and animal oils, between points in Colorado within an area located on and north of U. S. Highway 24 and on and east of the Continental Divide, and between points in that area on the one hand, and points in Colorado on the other, except points within ten miles of Platteville, Colorado.

Said application was regularly set for hearing before the Commission, and was heard, on a consolidated record with Application No. 21479-Extension of Ruan Transport Corporation with separate Orders to be issued, by an Examiner who was duly designated and to whom the hearing was assigned by the Commission. At the conclusion

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

Report of the Examiner states that at the hearing Frederick Bethke, Gilcrest, Colorado, President and major stockholder of Bulk Transporters, Inc., appeared and testified in support of the granting of the instant application, stating that the Applicant owns PUC No. 4350 and the purpose of the within application is to extend the authority of the Applicant to transport liquid feed in bulk except molasses and animal oils between points in Colorado within an area located on and north of U. S. Highway 24 and on and east of the Continental Divide, and between points in that area on the one hand, and points in Colorado on the other, except points within 10 miles of Platteville, Colorado. Mr. Bethke identified Exhibit Nos. 6 and 7 as being an equipment list and financial statement of the Applicant. He further stated that the within application was being made at the request of John R. Jirdon Industries, Inc. of Morrill, Nebraska which produces liquid feed for cattle. He stated that this company plans to commence operations in Denver, Colorado and has requested both the Applicant and Ruan Transport Corporation to extend their authorities for the purpose of transporting liquid feed in the Colorado area. Mr. Bethke stated that so far as he knows, no other common carrier has similar authority and that because of the large volume of shipments anticipated by the shipper, the services of two common carriers will be required. He stated for this reason his company is also supporting the application of Ruan Transport Corporation for similar authority.

Mr. Bethke related that an exception was made in the request for authority for points within 10 miles of Platteville, Colorado because the Applicant has authority and, therefore, extension as herein applied for will not involve duplicating operating rights.

He testified that the Applicant is experienced in this type of transportation and has equipment of a special nature to accommodate the requirements of the shipper; and that the officers and personnel of the Applicant are familiar with the rules, regulations and laws of the State of Colorado pertaining to common carriers and that such rules, regulations and laws will be carefully followed.

C. W. Boyd, Morrill, Nebraska, testified that he is an employee of John R. Jirdon Industries and has been authorized by the officers of that corporation to appear and testify in support of the within application. He identified Exhibit 8 as a paper outlining the ingredients of the liquid feed product to be transported. He stated that John R. Jirdon Industries, Inc., are presently in the process of establishing a facility at Denver, Colorado for the purpose of producing the liquid feed which will be marketed in Northeast Colorado to commercial feed lots and other customers desiring the product. He stated that it is anticipated that the Denver Plant will produce 25 tons of liquid feed per day and because of this volume, his company is supporting this application and Application No. 21479-Extension of Ruan Transport Corporation for a similar extension of its authority. He further stated that as far as he knows, no other common carrier is presently authorized to accommodate the transportation needs of his company. He advised that his company has found both Bulk Transporters, Inc. and Ruan Transport Corporation are responsible operators well acquainted by experience to handle this transportation. He stated that because of the nature of the commodity to be hauled, it is necessary to have common carriers who will expeditiously deliver the product to the customers of the shipper inasmuch as after production the liquid feed must be delivered and used within 14 days. Both of the carriers whose applications are being supported have indicated that they can perform the transportation service in this manner. Mr. Boyd also stated that his company anticipates the establishment of additional plants at Brush and

Brighton, Colorado.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that a definite need exists in the area as herein involved for the Applicant's proposed extended service; that Applicant will have sufficient equipment and experience with which to carry on said proposed extended operation; that Applicant's financial standing is established to the satisfaction of the Commission; that the present and future public convenience and necessity requires and will require the proposed extended service of the Applicant; and 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 Bulk Transporters, Inc., Gilcrest, Colorado, be, and hereby is, authorized to extend operations under PUC No. 4350 to include the transportation of liquid feed, in bulk, (except molasses and animal oils) between points in Colorado within an area located on and north of U. S. Highway 24 and on and east of the Continental Divide, and between points in that area on the one hand, and points in Colorado on the other, except points within ten miles of Platteville, Colorado; and this ORDER shall be deemed to be, and 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

Commissioners

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 26th day of October, 1965.

et

(Decision No. 66159)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RUAN TRANSPORT CORPORATION,KEOSAUQUA)
AT THIRD, DES MOINES, IOWA, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE) APPLICATION NO. 21479-Extension
AND NECESSITY, AUTHORIZING EXTENSION)
OF OPERATIONS UNDER PUC NO. 1515.)

October 26,1965

Appearances: Leslie R. Kehl, Esq., Denver, Colorado, for Applicant;
John H. Lewis, Esq., Denver, Colorado, for Bulk Transporters, Inc., intervening in support of the within application;
Joseph F. Nigro, Esq., Denver, Colorado, for Copy of Order.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicant herein is presently the owner and operator of PUC No. 1515, being the right to operate as a common carrier by motor vehicle for hire.

By the above-styled application, said certificate-holder seeks authority to extend operations under PUC No. 1515 to include the transportation of liquid feed, in bulk (except molasses and animal oils), from Denver to all points in Colorado, except points within a ten-mile radius of Platteville, Colorado.

Said application was regularly set for hearing before the Commission, and was heard, on a consolidated record with Application No. 21494-Extension of Bulk Transporters, Inc. with separate Orders to be issued, by an Examiner who was duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner

transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Dean A. Schipper, Denver, Colorado, Sales Representative of Special Products Division of Ruan Transport Corporation, testified that the applicant owns PUC No. 1515 and that the purpose of the within application is to extend this authority for the transportation of liquid feed. Mr. Schipper identified Exhibit No. 1 as a tractor list, Exhibit No. 2 as a trailer equipment list, Exhibit Nos. 3 and 4 as the financial status of the applicant, and Exhibit No. 5 relating to the safety program of the applicant. Mr. Schipper also testified that his company has considerable experience in the transportation of liquid commodities and has ample and suitable equipment for such transportation. He stated that John R. Jirdon Industries, Inc., Morrill, Nebraska, had requested the applicant to apply for an extension of its authority to assist in the transportation of large volumes of liquid feed which will be produced at the Denver plant of this company as well as from plants at Brush and Brighton, Colorado which the shipper intends to establish in the near future. He stated that the applicant is also supporting the application made by Bulk Transporters, Inc. for a similar extension inasmuch as this shipper has requested both companies to handle its transportation needs in Colorado.

C. W. Boyd, Morrill, Nebraska, testified that he is an employee of John R. Jirdon Industries, Inc. and has been authorized by the officers of that corporation to appear and testify in support of the within application. He identified Exhibit No. 8 as a paper outlining the ingredients of the liquid feed product to be transported. He stated that John R. Jirdon Industries, Inc. are presently in the process of establishing a facility at Denver, Colorado for the purpose of producing the liquid feed which will be marketed in Northeast Colorado to commercial feed lots and other customers desiring the

product. He related it is anticipated that the Denver plant will produce 25 tons of liquid feed per day and that because of this volume his company is supporting this application and Application No. 21494-Extension of Bulk Transporters, Inc. for a similar extension of its authority. He also stated that so far as he knows, no other common carrier is presently authorized to accommodate the transportation needs of his company. He also stated that his company has found both Bulk Transporters, Inc. and Ruan Transport Corporation responsible operators well acquainted by experience to handle this transportation; and that because of the nature of the commodity to be hauled, it is necessary to have common carriers who will expeditiously deliver the product to the customers of the shipper inasmuch as after production the liquid feed must be delivered and used within 14 days. Both of the carriers whose applications are being supported have indicated that they can perform the transportation service in this manner. Mr. Boyd advised that his company anticipates the establishment of additional plants at Brush and Brighton, Colorado.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that a definite need exists in the area as herein involved for the applicant's proposed extended service; that applicant will have sufficient equipment and experience with which to carry on said proposed extended operation; that applicant's financial standing is established to the satisfaction of the Commission; that the present and future public convenience and necessity requires and will require the proposed extended service of the applicant; and 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 Ruan Transport Corporation, Des Moines, Iowa, be, and hereby is, authorized to extend operations under PUC No. 1515 to include the transportation of liquid feed, in bulk (except molasses and animal oils), from Denver to all points in Colorado, except points within a ten-mile radius of Platteville, Colorado; and this ORDER shall be deemed to be, and 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

Commissioners

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 26th day of October, 1965.

ma

Original

(Decision No. 66160)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RUAN TRANSPORT CORPORATION,KEOSAUQUA)
AT THIRD, DES MOINES, IOWA, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE) APPLICATION NO. 21526-Extension
AND NECESSITY, AUTHORIZING EXTENSION)
OF OPERATIONS UNDER PUC NO. 1515.)

October 26,1965

Appearances: Leslie R. Kehl, Esq., Denver, Colorado, for Applicant;
John H. Lewis, Esq., Denver, Colorado, for Bulk Transporters, Inc., for Copy of Order;
Joseph F. Nigro, Esq., Denver, Colorado, for Weicker Transfer and Storage Company, for Copy of Order.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicant herein is presently the owner and operator of PUC No. 1515, being the right to operate as a common carrier by motor vehicle for hire.

By the above-styled application, said certificate-holder seeks authority to extend operations under PUC No. 1515, to include the transportation of liquid feed, in bulk (except molasses and animal oils), between points in Colorado within an area located on and north of U.S. Highway 24, and on and east of the Continental Divide (except traffic originating at Denver), and between points in that area on the one hand, and points in Colorado, on the other.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner who was duly designated and to whom the hearing was assigned by the Commission. At the conclusion

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

Report of the Examiner states that at the hearing, Dean A. Schipper, Denver, Colorado, Sales Representative of the Special Products Division of Ruan Transport Corporation, appeared and testified in support of the instant application, stating that the application is being made at the request of John R. Jirdon Industries, Inc., of Morrill, Nebraska, which produces liquid feed for cattle; that this company plans to commence operations in Denver, Colorado, and has requested both the applicant and Bulk Transporters, Inc. to transport this commodity to its various customers within the area set forth in the instant application; that because of the large volume of shipments anticipated by John R. Jirdon Industries, Inc. the company is supporting the within application as well as Application No. 21494-Extension of Bulk Transporters, Inc., and Application No. 21479-Extension of Ruan Transport Corporation, which applications were heard on September 28, 1965.

During the hearing on September 28, 1965, Mr. Schipper identified Exhibit Nos. 1, 2, 3, 4 and 5 as to Application No. 21479-Extension of Ruan Transport Corporation. These exhibits reflect an itemization of the equipment owned and maintained by the applicant, the financial status of the applicant and the safety program of the applicant. The within application for extension, according to Mr. Schipper, does not involve any overlapping or duplicating authority already held by the applicant. This witness stated that Ruan Transport Corporation specializes in the hauling of various liquid substances in bulk and that it has specialized equipment for this purpose. He stated that so far as he knows no other common carrier has the authority requested herein at the present time.

Mr. Kehl, on behalf of applicant, tendered a transcript of the testimony of C. W. Boyd, an employee of John R. Jirdon Industries, Inc., Morrill, Nebraska, which testimony was taken September 28, 1965, when Mr. Boyd testified in support of Application 21494-Extension of Bulk Transporters, Inc. and Application 21479-Extension of Ruan Transport Corporation, in connection with the transportation of liquid feed. This transcript reflects that Mr. C. W. Boyd, Morrill, Nebraska, testified that he is an employee of John R. Jirdon Industries, Inc. and has been authorized by the officers of that corporation to appear and testify in support of the application of Ruan Transport Corporation and Bulk Transporters, Inc. for an extension of their authorities to provide for the transportation of liquid feed. He stated that John R. Jirdon Industries is presently in the process of establishing a facility at Denver, Colorado for the purpose of producing liquid feed which will be marketed in northeast Colorado to commercial feed lots and other customers desiring the product. He stated that it is anticipated that the Denver plant will produce 25 tons of feed per day and that because of this volume, his company is desirous of utilizing the services of two common carriers. He stated that as far as he knows no other common carrier is presently authorized to accommodate the transportation needs of his company in Colorado. Mr. Boyd stated that his company has found that both Ruan Transport Corporation and Bulk Transporters, Inc. are responsible operators and are well acquainted by experience to handle the transportation of liquid feed; that because of the nature of the commodity, it is necessary to have common carriers who will expeditiously deliver the product to the customer inasmuch as the product must be utilized within 14 days after production. Both of the carriers whose applications are being supported have indicated that they can perform the transportation service in an expeditious manner in view of the perishable nature of the product. Mr. Boyd also stated that his company anticipates the establishment of additional plants at Brush and Brighton, Colorado.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that a definite need exists in the area as herein involved for the applicant's proposed extended service; that applicant will have sufficient equipment and experience with which to carry on said proposed extended operation; that applicant's financial standing is established to the satisfaction of the Commission; that the present and future public convenience and necessity requires and will require the proposed extended service of the applicant; and 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 Ruan Transport Corporation, Des Moines, Iowa, be, and hereby is, authorized to extend operations under PUC No. 1515 to include the transportation of liquid feed, in bulk (except molasses and animal oils), between points in Colroado within an area located on and north of U. S. Highway 24 and on and east of the Continental Divide (except traffic originating at Denver), and between points in that area on the one hand, and points in Colorado, on the other; and this ORDER shall be deemed to be, and 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

Commissioners

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 26th day of October, 1965.

ma

Original

(Decision No.66161)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF ATLAS TRUCK LINE, INC., P. O. BOX 9848, HOUSTON, TEXAS.	PUC NO. 2526-I

October 26, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission is in receipt of a communication from the above-styled certificate-holder, requesting authority to change the corporate name to Atlas Truck Line, Inc. in lieu of Heavy Haulers, Inc., in the conduct of operations under PUC No. 2526-I.

The Commission states and 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. 2526-I to be owned and operated by:

"Atlas Truck Line, Inc.,"

in lieu of:

"Heavy Haulers, Inc."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT
PARTICIPATING

Commissioners

Dated at Denver, Colorado,
this 26th day of October, 1965.

et

(Decision No. 66162)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF CHARLES K. HAGER, DOING BUSINESS AS "HAGER RUBBISH REMOVAL," 2742 SOUTH WEBSTER, DENVER, COLORADO.

PUC NO. 3258

October 26, 1965

STATEMENT AND FINDINGS OF FACT

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: "Charles K. Hager, doing business as 'Hager Rubbish Removal,'" in lieu of: "Charles K. Hager," in the conduct of operations under PUC No. 3258.

The Commission states and 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. 3258 to be owned and operated by:

"Charles K. Hager,
doing business as
'Hager Rubbish Removal'
2742 South Webster,
Denver, Colorado,"

in lieu of:

"Charles K. Hager,
456 King Street
Denver, Colorado."

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
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 26th day of October, 1965.

et

Original

(Decision No. 66163)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HERBERT STOUT, 308 CEDAR STREET,)
BUENA VISTA, COLORADO, FOR A CLASS) APPLICATION NO. 21480-PP
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

October 26, 1965

Appearances: Herbert Stout, Buena Vista, Colorado, pro se;
James Frederick Ganske, Buena Vista, 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:

> ashes, trash, dirt, rubbish, refuse, and other waste materials, between points within a ten mile radius of the Town of Buena Vista, State of Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing Herbert Stout, the Applicant herein, appeared and testified in support of the application, stating that for 10 years he has been engaged in the business of cleaning yards in Buena Vista and removing ashes, trash, leaves, tree limbs, etc. on an "M" permit. He stated that only recently was he informed that it would be necessary to secure private carrier authority from the Commission. He stated he has only 10

customers and that he does not intend to enlarge his business beyond this. He added that these 10 customers have been substantially the same for over a period of ten years. He advised that he has sufficient equipment to handle this type of service; that he has had many years of experience; and that he is financially able to provide the service and equipment necessary to serve his ten customers. He also stated that he has provided for insurance as required by the Public Utilities Commission and is familiar with the rules, regulations and laws of the State of Colorado pertaining to private carriers and will carefully observe such rules, regulations and laws. He further testified that the ten customers who he intends to serve are located in Buena Vista, Colorado or within a ten-mile radius thereof and that the approved dump is also within a ten-mile radius of Buena Vista.

Mr. Shirley Avery, Vuena Vista, Colorado, stated he has known the Applicant for many years; that he is an honest and efficient workman and feels that consideration should be given to granting the within application. Mr. Avery stated that on occasion, he has used the services of the Applicant and the service has been good.

James Frederick Ganske, Buena Vista, Colorado, stated that an application has been made to the Commission for transfer of PUC No. 4038 to him and that on this basis he indicated his protest. He stated that this authority was generally for ash and trash within a five-mile radius of Buena Vista. Mr. Ganske stated after hearing the testimony with relation to the nature of the application and the fact that the Applicant only intends to serve 10 customers, he did not care to persist in his protest and was withdrawing the same.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there

is a need for Applicant's proposed transportation services; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of 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 Herbert Stout, Buena Vista, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of ashes, trash, dirt, rubbish, refuse, and other waste materials, between points within a ten-mile radius of the Town of Buena Vista, State of Colorado, for not more than ten customers; and this ORDER shall be deemed to be, and be, 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, 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

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of October, 1965.

et

Original

(Decision No. 66164)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CLIFFORD M. COOPER, BLUE RIVER)
ROUTE, DILLON, COLORADO, FOR A CLASS) APPLICATION NO. 21527-PP
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)
- -

- - - - - - - - - -
October 26, 1965
- - - - - - - - - -

Appearances: Clifford M. Cooper, Dillon, 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.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation services; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the Order following, will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Clifford M. Cooper, Dillon, 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 150 miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of 150 miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of 150 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 150 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; also, timber products, fence posts, saw logs, firewood, shrubs, trees,

corral poles and poles, to sawmills and buyers within a radius of 150 miles of source; and this ORDER shall be deemed to be, and be, 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 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

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 26th day of October, 1965

et

orig

(Decision No. 66165)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF SUPERIOR SANITATION, INC., 150 EAST POLK STREET, COLORADO SPRINGS, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 21462

October 26, 1965

Appearances: James E. Frank, Colorado Springs, Colorado, for Applicant;
John Dooley, Esq., Greeley, Colorado, for Louise Frederick Frei;
Herbert M. Boyle, Esq., Denver, Colorado, for The Way Rubbish Removal;
John P. Thompson, Esq., Denver, Colorado, for Bestway Disposal Company, Kline's Rubbish Removal, Earl Ball Trash Removal, Fred Olivas.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicant herein seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, for the transportation of ashes, trash, dirt, rock, fertilizers, rubbish, grass clippings, brush, leaves, garbage, and other waste materials in Greeley, Colorado, and in a ten mile radius from the center thereof.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Mr. James E. Frank, President of Superior Sanitation, Inc., the Applicant herein, moved to amend the instant application by deleting the word "garbage" from said application. This proposed amendment being restrictive in nature was allowed and thereupon Mr. John Dooley, on behalf of the Protestant, Louise Frederick Frei, withdrew as Protestant.

Mr. James E. Frank, President of Superior Sanitation, Inc., the Applicant, questioned witnesses on behalf of the Applicant. The first witness Mr. Dave Frank, Vice President of Superior Sanitation, Inc., identified Exhibit A as a statement reflecting the financial status of the Applicant; Exhibit B as an equipment list of the Applicant; and Exhibit F as a copy of an item mailed to residents of Greeley, Colorado.

Mr. Dave Frank stated that the within application is made because he and other officers of Superior Sanitation, Inc. felt that there was a need in the Greeley area for additional ash and trash haulers. He stated that this opinion was formulated on the basis of solicitation of residents in and about Greeley, Colorado, and the development of a substantial customer list. The testimony of this witness also revealed that the Applicant is a Montana corporation licensed to do business in the State of Colorado; that it owns PUC No. 2572 which authorizes it to engage in the removal of ashes and trash, etc. in Colorado Springs where it has been engaging in such business for several years. Its principal office is P. O. Box 773, Shelby, Montana and the Colorado office of the corporation is 150 East Polk Street, Colorado Springs, Colorado.

With reference to Applicant's Exhibit B an equipment list, Mr. Fave Frank stated that only one piece of equipment, to-wit: (1) Chevrolet truck with packer is presently located at Greeley, Colorado, and that the rest of the equipment is located in Montana where the Applicant has ash and trash authority and in Colorado

Springs, Colorado. This witness testified that the Applicant is of the opinion that initially one piece of equipment as indicated would only be required at Greeley, Colorado if the within application is approved but that if additional equipment is needed to accommodate the public need, it would be readily provided for.

This witness stated that the Applicant has secured temporary authority for ash and trash removal in Greeley in a ten-mile radius thereof by letter from the Public Utilities Commission on August 24, 1965 but that this temporary authority was cancelled when the Applicant received a letter from the Public Utilities Commission dated September 8, 1965 informing the Applicant that because of complaints received from various authorized carriers serving the Greeley area, the temporary authority was being withdrawn.

Steve Moreno, Greeley, Colorado, stated that he has lived in Greeley since June 1965; that he had been contacted by a representative of the Applicant regarding trash removal; and that he was appearing for the purpose of supporting the within application.

Ray Booth, Greeley, Colorado, testified he was in the real estate business and owns a duplex in Greeley, Colorado and had agreed with the Applicant for trash removal from this duplex. He stated normally he hauled the trash from his property himself but upon being contacted by a representative of the Applicant, agreed to have the Applicant handle the trash removal. He stated he was appearing in support of the within application.

Mrs. Imogene T. Simon, Greeley, Colorado, testified that a representative of the Applicant had called at her home offering ash and trash removal service on a regular basis and that she was impressed by the proposition offered. She further stated that she needed such service and therefore engaged the Applicant. She advised that approximately six years ago she had retained another trash removal service on a regular basis which service had been

terminated, and that occasionally, since then, she has called one of the authorized trash removal service in Greeley for this purpose. She stated, however, at no time recently has anyone ever called and offered to her regular disposal service. She related that she was supporting the within application because she felt that the services offered by the Applicant were excellent and the Applicant should, therefore, be permitted and authorized to engage in this business in the Greeley area.

Barton Buss, Greeley, Colorado, testified that he is the City Clerk and from his knowledge of Greeley and its surrounding area, he estimated that the population has increased since 1961 in the approximate amount of 4,000. He also stated that there were more trash haulers in the area in 1961 than there were today. He also stated that a City license to haul trash had been issued to the Applicant.

Mr. James E. Frank, testified that he was President of the Applicant corporation and it was the desire of the officers of the corporation to enlarge their business in Colorado and to engage in the ash and trash removal business not only in Colorado Springs but also in Greeley, Colorado if the within application is granted. He stated in his opinion there is a definite need for additional competition in the ash and trash removal business in the Greeley area. He stated that after the Applicant received temporary authority, they were able to secure 141 customers. He added that these customers were secured after contact with approximately 250 Greeley residents. Based upon this, he stated it appeared clear to him that the type of ash and trash removal service which his company proposed to offer was needed and that it would be in the public interest to grant the within application.

Mr. James E. Frank discussed Applicant's Exhibit F and stated that this card was sent to the 141 customers obtained and

approximately 70 of these cards were returned by these customers. On this basis also, he stated that this was indicative of the need in the community for additional ash and trash removal service. This witness also said that on several occasions he went to the City dump and observed many people hauling and dumping their own trash.

On behalf of the Applicant the various self-serving statements and signatures of various persons in Greeley were offered as evidence of public need for additional trash removal service. Objections made on behalf of the Protestants on the grounds that such items were merely self-serving or constituted hearsay was sustained. The Applicant rested its case.

Earl Ball, Greeley, Colorado, testified that he operates an ash and trash removal service in the Greeley area and is the owner of PUC No. 5052. He stated that he has been engaged in this business for approximately 25 years and that Greeley, Colorado and the surrounding area is now adequately and fully served by existing ash and trash haulers. He stated that he was unaware of any demand for service which could not be adequately met and that additional competition in the area would impair the service presently being offered to the community by the existing authorized common carriers of ash and trash.

Mr. Robert Leichner, Greeley, Colorado, testified that he is in charge of the operations in the Greeley area for the Best Way Disposal Company which owns and operates under PUC No. 4615 authorizing ash and trash removal in Greeley and a ten-mile radius. He stated that his company operates two new packer type vehicles in the Greeley area and plans are being made to provide a new type of vacuum truck for trash removal in the Greeley area. He stated that the vehicles of Best-Way Disposal Company are equipped with two-way radio and at the present time, this company serves approximately 842 customers in its authorized area. He further stated his company is adequately equipped with personnel and equipment to serve approximately 1700

customers in this area; that it constantly advertises in the local news media for additional business and is financially able to provide for additional equipment if the public need would so require; and that the existing need in the Greeley area is adequately and fully met by the present common carriers of ash and trash and if additional authority is granted, it would impair the business of Best Way Disposal Company.

Victor Sarchet, Greeley, Colorado, testified he owns PUC No. 5091 for ash and trash removal in Greeley in a five-mile radius; that he is and has been engaged in this business for four years; that he operates six days a week; and that he has 500 regular customers. Of these customers, 15 are regular weekly service. This witness also stated that he is constantly looking for additional business and has the financial means of providing additional equipment if necessary to provide ash and trash removal service. He further stated that the present ash and trash haulers in the Greeley area who are authorized by the Public Utilities Commission, fully and completely meet the present need in the community.

Martin Frei, Greeley, Colorado, stated that he is a partner in the firm known as The Way Rubbish Disposal which owns PUC No. 4856 authorizing ash and trash removal in Greeley, Colorado and a ten-mile radius. He identified Protestant's Exhibit Nos. 1 and 2 as being a financial statement and a statement of operations for the period January 1st through August 31, 1965. As to Exhibit No. 2, this witness pointed to the fact that for the period January 1st through August 31, 1965, his company only realized a profit of $25.76. He stated at the present time his company has approximately 500 weekly customers and that with the present equipment and personnel of the company, a substantial additional number of customers could be completely and fully accommodated. He stated his company advertises in the telephone directory and in the local newspaper, and in addition, the vehicles

of the company are lettered in such a way as to constitute continuous advertising through the streets of Greeley, Colorado. This witness also identified Protestant's Exhibit 3 as a statement of operations for the period April 1st through December 31, 1964 of the Valley Rubbish Removal, Greeley, Colorado. He pointed out that this statement indicated a loss for the period reported in this statement.

Mr. Frei went on to testify that there is no need for any additional ash and trash service in the Greeley area; that the present common carriers of ash and trash fully and completely meet the needs of the community; and that additional competition would constitute impairment of the existing common carriers of ash and trash.

John Kline, Evans, Colorado, stated he does business under the trade name of "Kline's Trash Removal," and owns PUC No. 4239 for ash and trash removal in Greeley and a ten-mile radius. He stated he has been in this business since 1948 and at the present time, he serves approximately 40 weekly customers and many others on call and demand. He stated he owns and maintains a special packer truck for transportation of trash; that he advertises in the local phone directory and newspaper; and that he has both the equipment and personnel to handle a substantial additional business. He also stated that recently he has had to lay off one man because of the lack of business in Greeley, Colorado and that, in his opinion, if an additional common carrier of ash and trash were authorized for the Greeley area, it would hurt his business to a point where he might not be able to render service to the community as he is now performing.

Fred Olivas, Greeley, Colorado, stated he conducts an ash and trash removal service in Greeley and a ten-mile radius thereof under PUC No. 4587. He stated he operates an open truck with a metal lined box and that he regularly serves between 35 and 40 weekly customers. He did state that he was 72 years old and that he probably would not be interested in any additional business. He stated that he

was aware of the needs of the community and was of the opinion that the presently authorized ash and trash haulers in Greeley and a ten-mile radius were fully and completely meeting the needs of the community and their service was adequate.

An examination of the file reveals a letter dated September 15, 1965 from one Edgar A. Oppenheimer, Greeley, Colorado. This letter indicates Mr. Oppenheimer is dissatisfied with the service he received from one of the existing common carriers in Greeley and the writer states in effect that the present ash and trash haulers in Greeley should not be protected from competition and it would be in the best interest of the public to permit Superior Sanitation, Inc. to serve the Greeley area.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no substantial evidence was offered to establish the proof of a need for any additional carrier service as covered by the herein application; that the Applicant failed to establish by substantial and competent evidence that existing carrier services are not reasonably adequate or satisfactory; that the creation of the herein proposed new service would seriously impair and endanger the operations of existing carriers in the involved territory contrary to the public interest; that the Applicant failed to establish by substantial and competent evidence that the present or future public convenience and necessity requires or will require the proposed service; and that the instant application should be denied.

O R D E R

THE COMMISSION ORDERS:

That Application No. 21462 be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of October, 1965.

et

Decision No. 66166

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
JOE D. HUGHES INC.)
P.O. Box 2143)
)
)
)
)

AUTHORITY NO. PUC 2480-I and M 3570

CASE NO. 2718 Ins.

October 28, 1965

S T A T E M E N T

By the Commission:

On October 21, 1965, 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. Zarlengo

Howard S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 28th day of October, 1965

orig copy

Decision No. 66167

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
D AND L TRANSPORT INC.)
3800 South Laramie Avenue)
Cicero 50, Ill.)
)
)
)

AUTHORITY NO. PUC 5283-I

CASE NO. 2722 Ins.

October 28, 1965

S T A T E M E N T

By the Commission:

On October 21, 1965, 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. Zarlengo

Harold D. Gillard

Roscoe C. Horton

Commissioners

Dated at Denver, Colorado,
this 28th day of October, 1965

(Decision No. 66168)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
EUGENE S. CHRISTENSEN AND VERNON A.) PERMIT NO. M-13608
CASADY, DOING BUSINESS AS, "WORLD)
DISTRIBUTORS", P. O. BOX 4066,)
DENVER 4, COLORADO.)

October 29, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 26, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 29th day of October 196 5.

hc

(Decision No. 66169)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
RAYMA A. GUTHRIE, 548 HIGHWAY 50,) PERMIT NO. M-3307
GRAND JUNCTION, COLORADO.)
)

October 29, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 1, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard L. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 29th day of October 196 5.

hc

(Decision No. 66170)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
HAROLD E. GRAHAM, DOING BUSINESS AS,) PERMIT NO. M-585
"GRAHAM PAINT AND TILE COMPANY", 415)
MAIN STREET, CANON CITY, COLORADO.)

October 29, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 6, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Edward S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 29th day of October 1965.

hc

(Decision No. 66171)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JOHN D. BALDWIN, DOING BUSINESS AS,) PERMIT NO. M-4778
"JOHN BALDWIN CHEVROLET COMPANY",)
HOLYOKE, COLORADO.)

October 29, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 30, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Hartford

Commissioners

Dated at Denver, Colorado,
this 29th day of October 196 5.

hc

(Decision No. 66172)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
EMERY LARREAU, DOING BUSINESS AS,) PERMIT NO. M-9676
"FRANKTOWN MERCANTILE", FRANKTOWN,)
COLORADO.)

October 29, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 31, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Edward S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 29th day of October 196 5.

hc

(Decision No. 66173)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ALLEN R. KNIGHT, DOING BUSINESS AS,) PERMIT NO. M-2107
"ALLEN'S O.K. RUBBER WELDERS", 120)
SOUTH CAMPBELL, HOLYOKE, COLORADO.)

October 29, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 26, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Harold L. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 29th day of October 1965.

hc

(Decision No. 66174)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
NARANCHE AND KONDA CONSTRUCTION)
COMPANY, P. O. BOX 2184, CHEYENNE,) PERMIT NO. M-11701
WYOMING.)
-)

October 29, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 1, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 29th day of October 1965.

hc

(Decision No. 66175)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
MARION F. WEBB, DOING BUSINESS AS,) PERMIT NO. M-13635
"WEBB TRADING POST", SEIBERT,)
COLORADO.)

October 29, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 25, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 29th day of October 196 5.

hc

hc

(Decision No. 66176)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
COSMOS BUSTAMANTE, ROUTE 2 BOX 149,) PERMIT NO. M-14695
LONGMONT, COLORADO.)
)

- -

- - - - - - - - - -
October 29, 1965
- - - - - - - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 18, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard L. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 29th day of October 196 5.

hc

(Decision No. 66177)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF GEORGE BENNETT, WILLIAM A. WHITE AND RAYMOND CARR, DOING BUSINESS AS "BENNETT & WHITE TRUCKING," 617 21ST STREET, GREELEY, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-6222.

APPLICATION NO. 21569-PP-Extension
ORDER OF CONTINUANCE

October 26, 1965

Appearances: John R. Barry, Esq., Denver, Colorado, for Applicant;
Robert P. Grueter, Esq., Denver, Colorado, for Ashton Trucking Company; Watters Truck Line.

STATEMENT AND FINDINGS

BY THE COMMISSION:

This matter was called for hearing at 2:00 o'clock P.M., October 26, 1965, in the Hearing Room of the Commission, State Services Building, 1525 Sherman Street, Denver, Colorado. At that time, John Barry, Attorney for the Applicant moved for a Continuance in order that he could file an amended application. The presiding Commissioner granted such motion.

O R D E R

THE COMMISSION ORDERS:

That this matter be continued in order that the Applicant may file an amended application; and that the matter may be re-set for hearing pending the filing of said amended application.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of October, 1965

et

Original

(Decision No. 66178)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
E. N. GANGAWARE, DOING BUSINESS AS)
"CAPITOL TRANSFER & STORAGE CO.,")
2414 4TH AVENUE, GREELEY, COLORADO,)
FOR AUTHORITY TO TRANSFER PUC NO.) APPLICATION NO. 21570-Transfer
4445 AND PUC NO. 4445-I TO CAPITOL)
TRANSFER & STORAGE CO., A CORPORATION)
2414 4TH AVENUE, GREELEY, COLORADO.)

October 26, 1965

Appearances: Stan Johnson, Esq., Denver, Colorado, for Transferor and Transferee.

S T A T E M E N T

BY THE COMMISSION:

Heretofore, E. N. Gangaware, doing business as "Capitol Transfer & Storage Co.," Greeley, Colorado, was granted a certificate of public convenience and necessity, PUC No. 4445 and PUC No. 4445-I, authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

> household goods, as defined by the Interstate Commerce Commission in "Descriptions in Motor Carrier Certificates," 61 MCC 209, 9 Federal Carrier Cases 489; in the Counties of Weld, Larimer, Boulder, and Morgan, State of Colorado, and occasional service throughout the State of Colorado; and general cartage service between points in the City of Greeley, Colorado, interstate operating rights subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

By the above-styled application, said certificate-holder seeks authority to transfer PUC No. 4445 and PUC No. 4445-I to Capitol Transfer & Storage Co., a corporation, Greeley, Colorado.

Said application was regulatly set for hearing before the Commission, and was heard at 532 State Services Building, 1525 Sherman Street, Denver, Colorado, at 2:00 o'clock P.M., October 26, 1965. At the conclusion of the evidence, the matter was taken under advisement.

Stan Johnson testified that he is the Attorney for the Transferor and Transferee. PUC No. 4445 & I is presently owned by E. N. Gangaware, who does business under the name and style of "Capitol Transfer & Storage Co." E. N. Gangaware has determined that it would be advisable for him to conduct his business operations as a corporation rather than as an individual proprietorship. He has, therefore, incorporated a company under the name and style of "Capitol Transfer & Storage Co." The Articles of Incorporation have been filed with the Secretary of State and a copy of such Articles is attached to the application herein. All of the stock of the corporation is owned by the E. N. Gangaware family. Mr. Gangaware now seeks, in the present proceeding, to transfer PUC No. 4445 & I to the new corporation. A financial statement of E. N. Gangaware prepared by a Certified Public Accountant is attached to the application, and such statement shows a net worth in excess of $23,000.

F I N D I N G S

THE COMMISSION FINDS:

That no one protests the granting of the instant application; that Transferee will have sufficient equipment and experience to properly carry on the operation; that 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, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That E. N. Gangaware, doing business as "Capitol Transfer & Storage Co., Greeley, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 4445 and PUC No. 4445-I to Capitol Transfer & Storage Co., a corporation, Greeley, Colorado, subject to encumbrances, if any, against said operation, approved by this Commission.

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

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

Commissioners

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 26th day of October, 1962

et

(Decision No. 66179)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
DRILLERS BUTANE COMPANY, P. O. BOX 9425, TULSA 7, OKLAHOMA.) PERMIT NO. M-4032
)
)

October 29, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 1, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard L. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 29th day of October 1965.

hc

(Decision No. 66180)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
R. J. ALLISON COMPANY, INCORPORATED,) PERMIT NO. M-15728
P. O. BOX 9425, WEST TULSA STATION,)
TULSA 7, OKLAHOMA.)

October 29, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 1, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 29th day of October 1965.

hc

(Decision No. 66181)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
J. B. Snook)
1501 South Utica) PERMIT NO. B-6541
Denver, Colo 80219)

October 29, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, the Commission authorized the above-named carrier to suspend operations under the above-entitled authority.

The Commission is now in receipt of a communication from the above-named carrier requesting that said authority be reinstated.

The Commission finds that the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, reinstated as of October 18, 1965

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 29th day of October 196

et

(Decision No. 66182)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Richard Arfsten)
1393 Jamaica)
Aurora, Colo. 80010)

PERMIT NO. B-6252

October 29, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

November 7,1965 until May 7, 1966.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Hoover

Commissioners

Dated at Denver, Colorado,
this 29th day of October 1965
et

Original

(Decision No. 66183)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Robert L. Roberson)
4350 Pierce St.,) PERMIT NO. B-2649
Wheatridge, Colo 80033)

October 29, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

October 17, 1965 until April 17, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Edward S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 29th day of October 1965
et

(Decision No. 66184)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
Robert Romero) PUC NO. 3499
1644 Eliot Street)
Denver, Colo 80204

October 29, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

October 8, 1965 until April 8, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Irwin S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 29th day of October 196
et

(Decision No. 66185)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Richard Arfsten)
1393 Jamaica) PUC NO. 4630-I
Aurora, Colo 80010)

October 29, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

November 7, 1965 until May 7, 1966.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Norland

Commissioners

Dated at Denver, Colorado,
this 29th day of October 1965
et

original

(Decision No. 66186)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Harold E. Watson, Jr., dba Watson)
Transport Co., 816 West 6th) PUC No. 498
Loveland, Colo. 80537)

October 29, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

October 25, 1965 until April 25, 1966.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 29th day of October 1965.

et

Original

(Decision No. 66187)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Charles O. Coons dba Coons Transfer)
1475 So. Acoma) PUC NO. 3383
Denver, Colorado 80223)

October 29, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

October 23, 1965 until April 23, 1966.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 29th day of October 1965
et

Original

(Decision No. 66188)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
James B. Armstead)
3005 N. W. 28th St) PUC NO. 6337-I
Oklahoma City, Okla)
)

October 29, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 17, 1965

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold D. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 29th day of October 1965.
et

Original

(Decision No. 66189)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Henry Smith)
Route 1) PUC NO.5654-I
Geary, Oklahoma)
)

October 29, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 6, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Edward S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 29th day of October 196 5.
et

Original

(Decision No. 66190)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Del Monte Meat Co)
Box 117) PUC No. 6261-I
Lakeside, Iowa)
)

October 29, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 14, 1965

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 29th day of October 1965

et

original

(Decision No. 66191)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Rayma A. Guthrie)
548 Highway 50) PUC NO.6443-I
Grand Junction, Colo 81501)
)

October 29, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 1, 1965

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Irwin S. Bjelland

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 29th day of October 1965
et

Original

(Decision No. 66192)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

THE CITY OF LAMAR, a public utility under the laws of the State of Colorado, Complainant, vs SOUTHEAST COLORADO POWER ASSOCIATION, an electric cooperative association, Respondent.	CASE NO. 5280

October 29, 1965

S T A T E M E N T

BY THE COMMISSION:

The above complaint was filed by the City of Lamar with this Commission on July 22, 1964. The complaint alleges that Southeast Colorado Power Association has constructed an electric distribution line and proposes to render electric service in the territory heretofore certificated to Lamar. The construction by Southeast Colorado Power Association was in the Northwest Quarter (NW¼) of Section Fourteen (14), Township Twenty-two (22) South, Range Forty-seven (47) West.

By Decision No. 66075 of October 18, 1965 this Commission allocated certain territories to be served by various utilities operating in Southeast Colorado. Part of the area certificated to the City of Lamar included the Northwest Quarter (NW¼) of Section Fourteen (14), Township Twenty-two (22) South, Range Forty-seven (47) West.

In view of this Decision by the Commission, Case No. 5280 should be dismissed.

F I N D I N G S

THE COMMISSION FINDS:

That Case No. 5280 should be dismissed, since this matter is now moot.

O R D E R

THE COMMISSION ORDERS:

That Case No. 5280 be, and hereby is, dismissed.

That this Order shall become effective twenty-one (21) days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 29th day of October, 1965.

et

original

(Decision No. 66193)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF HAROLD L. LESH, DOING BUSINESS AS "GLENWOOD-ASPEN STAGES," BOX 215, GLENWOOD SPRINGS, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 1089 AND PUC NO. 1089-I TO SAN JUAN TOURS, INC., EL POMAR BUILDING, BROADMOOR, COLORADO SPRINGS, COLORADO.	APPLICATION NO. 21529-Transfer
IN THE MATTER OF THE APPLICATION OF HAROLD L. LESH, DOING BUSINESS AS "GLENWOOD-ASPEN STAGES," BOX 215, GLENWOOD SPRINGS, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 2347 TO SAN JUAN TOURS, INC., EL POMAR BUILDING, BROADMOOR, COLORADO SPRINGS, COLORADO.	APPLICATION NO. 21530-Transfer

October 28, 1965

Appearances: David Butler, Esq., Denver, Colorado, for Transferor;
William A. Baker, Esq., Colorado Springs, Colorado, for Transferee;
John R. Barry, Esq., Denver, Colorado, for Continental Bus System, Inc., as its interest may appear and for copy of Order.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Harold L. Lesh, doing business as Glenwood-Aspen Stages, Glenwood Springs, Colorado, is the owner and operator of PUC No. 1089 and I, authorizing:

> (1) Transportation of passengers and property, including baggage, mail, and express, between Glenwood Springs and Aspen and intermediate points, serving Carbondale as an off route point (express service, however, to be restricted to packages not in excess of one hundred pounds each, and rate to be charged for transportation thereof to be not less than one hundred twenty per cent of

the line-haul rate prescribed by the Commission for the movement of freight between points authorized to be served under Dec. #26292); and

(2) The transportation of passengers and property, including baggage, mail, express, and freight, in the same vehicle as passengers between Glenwood Springs, Colorado, on the one hand, and on the other, points and places on Highways Nos. 133 and 327 west of (but not including), Carbondale, Colorado, and (including) Marble, Colorado, subject, however, to the following restrictions: That service between the point on Highway No. 82 where it is intersected by Highway No. 133, and Marble, is to be operated on schedule from June 1st of each year until October 1st of each year hereafter, except by leave of the Commission first had and obtained, operation over said route the balance of the year, for transportation of passengers, baggage, mail, express, freight, etc., to be on call and demand; said operations to be an extension of and to be operated in connection with the applicant's presently authorized service between Glenwood Springs, Colorado, and Aspen, Colorado; and provided further, that applicant shall not pick up or deliver passengers or property upon or along Colorado Highway No. 82 and Colorado Highway No. 133 between Glenwood Springs and Carbondale; and

(3) Occasional motor coach service by SPECIAL CHARTER for transportation of passengers and their baggage, in the same vehicle with the passengers, between all points on the applicant's authorized passenger routes on the one hand, and, on the other, points in the State of Colorado; and

(4) The right to transport passengers and their baggage, and express, in buses of fifteen-passenger capacity or over, said express service to be limited to packages not in excess of one hundred pounds each, between points and places within a five-mile radius of Aspen, Colorado.

Service under sub-heads (2) and (3) to be subject to the conditions and restrictions as set forth in Dec. 29002. The foregoing restrictions in sub-heads (1) and (4) as to the weight of express shipments shall not apply to interlined express shipments received from other carriers. Service over Highway No. 82 shall include off route points within one mile of said route.

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,

and by Application No. 21529-Transfer, seeks authority to transfer said PUC No. 1089 and I to San Juan Tours, Inc., El Pomar Building, Broadmoor, Colorado Springs, Colorado.

Harold L. Lesh, doing business as Glenwood-Aspen Stages, Glenwood Springs, Colorado, is also the owner and operator of PUC No. 2347, authorizing:

> Transportation for hire in sightseeing service originating and terminating in Glenwood Springs, Colorado, to all points and places within a radius of 100 miles of Glenwood Springs, Colorado, excluding from said radius all points lying north of US Highway No. 40. Applicant under said authority will not be permitted to use equipment exceeding 7-passenger capacity,

and by Application No. 21530-Transfer, seeks authority to transfer said PUC No. 2347 to San Juan Tours, Inc., El Pomar Building, Broadmoor, Colorado Springs, Colorado.

The Application was set for hearing after statutory notice to all interested parties and was heard on October 11, 1965 at 9 o'clock A.M. in the hearing room of the Commission.

Mr. Harold L. Lesh testified that he desired to transfer PUC No. 1089 and I and PUC No. 2347. Gunnar Alenius, Assistant Vice President of the transferee testified that San Juan Tours, Inc. desired to acquire these authorities and that he was authorized to testify in support of the application for transfer. Mr. Alenius also testified concerning the experience of the management of San Juan Tours, Inc. in the bus business, the financial ability of that corporation to acquire the aforesaid authorities and to operate them, and concerning the equipment already owned by San Juan Tours, Inc., in addition to that being acquired from Harold L. Lesh.

It was established to the satisfaction of the Commission that transferee is well qualified by experience and is financially responsible, and has suitable and sufficient equipment with which to carry on operations under the authorities to be transferred to it.

F I N D I N G S

THE COMMISSION FINDS:

That the foregoing statement is made a part of these findings by reference.

That the proposed transfers are in the public interest and should be authorized as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Harold L. Lesh, doing business as Glenwood-Aspen Stages, be, and he hereby is, authorized to transfer PUC No. 1089 and I and PUC No. 2347, to San Juan Tours, Inc., subject to payment of outstanding indebtedness against the operation under said authority, if any there be, whether secured or unsecured.

That said transfers 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 withim thirty (30) days from the effective date of this 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 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.

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 October, 1965.

et

(Decision No. 66194)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF HARRY BATH, DOING BUSINESS AS "BLUE BARREL DISPOSAL COMPANY," 8426 WEST 68TH PLACE, ARVADA, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZING EXTENSION OF OPERATIONS UNDER PUC NO. 4446.

APPLICATION NO. 21514-Extension

October 29, 1965

Appearances: Bennett S. Aisenberg, Esq., Denver, Colorado, for Applicant;
Leslie R. Kehl, Esq., Denver, Colorado, for Industrial Disposal, Inc., Golden Ash & Trash Service Co. Inc., Golden Disposal Company, Broomfield Rubbish Removal, Wheatridge Disposal, B & W Disposal Service, Gerlach and Son Disposal, Herb Dalberg, dba Dalbergs Hauling Service, Mountain View Rubbish Removal, Metropolitan Trash, Inc., J & R Dispose-All, Freddies Rubbish Removal, Lakewood Disposal, Inc., Best Way Disposal, Green Mountain Disposal Co., Arvada Rubbish Removal, Mountain Disposal Service, and Monarch Disposal Co.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-styled application, applicant herein seeks authority to extend operations under PUC No. 4446 to include the transportation of ashes, trash, debris and other waste materials within the limits of the County of Jefferson, State of Colorado, and the disposal of the same in regularly designated and approved dumps and disposal places in the Counties of Adams, Arapahoe and Jefferson, State of Colorado.

Said application was regularly set for hearing before the Commission, and an Examiner was duly designated to conduct said hearing, he thereafter to submit a report of said proceedings to the Commission.

Report of the Examiner states that at the hearing, Bennett S. Aisenberg, Attorney for the applicant,moved that said application be continued to December 16, 1965 at nine o'clock A.M., on the grounds that Mr. Harry Bath, the applicant (and principal witnesses) was unable to be present on his doctor's orders. Mr. Aisenberg presented a note from Dr. G. Wayne Moss stating that Mr. Bath had recently undergone surgery and was not able to appear at the hearing.

Mr. Leslie R. Kehl, on behalf of the protestants, stated that he did not resist the motion for a continuance because of the grounds established.

The Commission, having considered the record and files and written statement of the Examiner, states and finds that said request should be granted and that the herein instant matter should be continued and re-set for hearing as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Application No. 21514-Extension be, and the same hereby is, continued and re-set for hearing before the Commission at 9:00 o'clock A.M., on December 16, 1965, at 532 State Services Building, Denver, Colorado, with notice to the parties who entered their appearance on October 14, 1965.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 29th day of October, 1965.

et.

Original

(Decision No. 66195)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF DICK DEARMIN AND JAMES DEARMIN, DOING BUSINESS AS "DEARMIN BROS. EXCAVATING CO.," 8040 KNOX COURT, WESTMINSTER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21505-PP

October 29, 1965

Appearances: James Dearmin, Westminster, Colorado, for Applicant.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicants herein seek authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, James Dearmin, a co-partner of the applicant partnership herein appeared and testified in support of the application, stating that if the authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that applicant partnership has suitable equipment, sufficient net worth and operating experience with which to conduct said proposed opera-

tion.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicants' proposed transportation services; that applicants will have sufficient equipment and experience to properly carry on the proposed operation; that applicants' financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of 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 Dick Dearmin and James Dearmin, doing business as "Dearmin Bros. Excavating Co.," Westminster, Colorado, be, and hereby are, 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 20 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 20 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 20 miles of said jobs; insulrock, from pits and supply points in

the State of Colorado, to roofing jobs within a radius of 20 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, 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 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 29th day of October, 1965

et

(Decision No. 66196)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF JOSEPH LEE AND BOB LEE, DOING BUSINESS AS "LEE BROS. ASH & TRASH DISPOSAL," 2829 HARRISON, DENVER, COLORADO.	PUC NO. 5362

October 29, 1965

STATEMENT AND FINDINGS OF FACT

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: "Joseph Lee and Bob Lee, doing business as 'Lee Bros. Ash & Trash Disposal,'" in the conduct of operations under PUC No. 5362.

The Commission states and 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. 5362 to be owned and operated by:

"Joseph Lee and Bob Lee,
doing business as
'Lee Bros. Ash & Trash Disposal,'"

in lieu of:

"Joseph Lee and Bob Lee,
doing business as
'Lee's Ash & Trash Disposal.'"

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 29th day of October, 1965.

et

(Decision No. 66197)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
C. B. SNOW, 1305 MARGO LANE, COLO-)
RADO SPRINGS, COLORADO, FOR A CLASS) APPLICATION NO. 21544-PP
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

November 2, 1965

Appearances: C. B. Snow, 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.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation services; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of 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 C. B. Snow, 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 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 being restricted against the use of tank vehicles; and this ORDER shall be deemd to be, and be, 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 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 2nd day of November, 1965.

et

Original

(Decision No. 66198)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF HOWARD B. SMITH, ROUTE 1, FRUITA, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21555-PP

November 2, 1965

Appearances: Howard B. Smith, Fruita, 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.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of the application, stating that if the authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation services; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing has been established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of 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 Howard B. Smith, Fruita, 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 andsmall 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 being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, 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 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 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 2nd day of November, 1965.

(Decision No. 66199)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF C. H. SMILEY, 3526 NORTH CASCADE, COLORADO SPRINGS, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21523-PP

November 2, 1965

Appearances: C. H. Smiley, 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.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner stated that at the hearing, Applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation services; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of 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 C. H. Smiley, 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, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, 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 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 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 2nd day of November, 1965

et

(Decision No. 66200)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF DONALD E. CHRISTIAN, DOING BUSINESS AS "DON CHRISTIAN," BOX 294, FOUNTAIN, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 21509-PP

November 2, 1965

Appearances: Donald E. Christian, Fountain, 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.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation services; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of 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 Donald E. Christian, doing business as "Don Christian, Fountain, 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 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 being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, 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 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 2nd day of November, 1965.

et

ing copy

Decision No. 66201

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
HARRY D. JOHNSON DBA)
JOHNSON TRASH HAULING)
729 Morrison Avenue)
Pueblo, Colorado)
)
-)

AUTHORITY NO. PUC 3773

CASE NO. 2249 Ins.

- - - - - - - - - - - - - - - -

November 2, 1965

- - - - - - - - - - - - - - - -

S T A T E M E N T

By the Commission:

On September 2, 1965, 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. Zarlengo

Howard S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 2nd day of November, 1965

bb

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Decision No. 66202

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
COLORADO DUNTILE PRODUCTS COMPANY)
515 South Federal Blvd.)
Denver, Colorado 80219)
)
)
)
-)

AUTHORITY NO. M 382

CASE NO. 2731 Ins.

- - - - - - - - - - - - - - - -
November 2, 1965
- - - - - - - - - - - - - - - -

S T A T E M E N T

By the Commission:

On October 21, 1965, 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. Zarlengo
Howard L. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 2nd day of November, 1965

bb

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Decision No. 66203

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
CARNEY LUMBER COMPANY)
1295 South Broadway) AUTHORITY NO. M 2425
Denver, Colorado 80210)
) CASE NO. 2740 Ins.
)
)

November 2, 1965

S T A T E M E N T

By the Commission:

On October 21, 1965, 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. Zarlengo
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 2nd day of November, 1965

bb

orig copy

Decision No. 66204

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
SAM HANDLER DBA)
HANDLER'S EXPRESS)
1533 Newton Street)
Denver, Colorado 80204)
)
-)

AUTHORITY NO. PUC 3530

CASE NO. _____

- - - - - - - - - - - - - - - -
November 2, 1965
- - - - - - - - - - - - - - - -

S T A T E M E N T

By the Commission:

On October 21, 1965, 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. Zarlengo
Howard S. Bjelland
Ralph C. Hanlon
Commissioners

Dated at Denver, Colorado, this 2nd day of November, 1965

bb

original

(Decision No. 66205)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF SAMUEL T. BASILE, DOING BUSINESS AS "SAM'S TRASH REMOVAL SERVICE," 8095 WEST EVANS AVENUE, ROUTE 1, BOX 414, MORRISON, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21419-PP
SUPPLEMENTAL ORDER

November 2, 1965

Appearances: Robert E. McLean, Esq., Denver, Colorado, for Applicant;
Leslie R. Kehl, Esq., Denver, Colorado, for Industrial Disposal, Inc., Metropolitan Trash Removal, Inc., Aurora and East Denver Trash Disposal and Best-Way Disposal.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On October 7, 1965, the Commission entered its Decision No. 66001 in the above-styled application.

On October 25, 1965, "Petition for Rehearing on Behalf of Protestants," was filed with the Commission by Protestants herein by Leslie R. Kehl, their attorney.

The Commission states and finds that said Petition should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That "Petition for Rehearing on Behalf of Protestants," filed with the Commission by Protestants herein, by Leslie R. Kehl, their Attorney, on October 25, 1965, be, and the same hereby is granted.

That said matter is hereby set for rehearing before the Commission at 10:00 o'clock A.M., on November 29, 1965, at 532 State Services Building, 1525 Sherman Street, Denver, 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 2nd day of November, 1965

et

Decision No. 66206

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
LLOYD A. FRY ROOFING COMPANY)
825 Armour Road North)
Kansas City, Missouri)
)
)
)
-)

AUTHORITY NO. M 1290

CASE NO. 2734 Ins.

November 3, 1965

S T A T E M E N T

By the Commission:

On October 21, 1965, 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. Zarlengo
Howard L. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 3rd day of November, 1965

bb

Original

(Decision No. 66207)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE GASOLINE, IN BULK, IN TANK VEHICLES, FROM DENVER, COLORADO TO BOULDER, COLORADO	)	CASE NO. 1585

November 3, 1965

STATEMENT AND FINDINGS

BY THE COMMISSION:

On October 27, 1965, The Colorado Motor Carriers' Association, Agent, filed its application for and on behalf of Petroleum Transport Company, petitioning the Commission for permission to publish, on one day's notice, the following:

Gasoline, in bulk, in tank vehicles, minimum shipment 1,500 gallons

From	To	Rate
Denver, Colorado	Boulder, Colorado	1.50 ①

① Rate in cents per gallon
Rate to expire on March 1, 1966, unless sooner cancelled, changed or extended.

In support of this request Mr. Cranor Wolfe of Petroleum Transport Company, in a letter dated October 26, 1965 and forwarded to the Commission, states in part:

> "This account at 2510 Pearl Street has been receiving transport deliveries and was given ten days' notice, as of November 1, he could no longer drop a transport load at this location as he has been taken into the City Limits of Boulder."

The present rate, in cents per gallon, applicable to gasoline and other commodities as defined in Colorado Motor Carriers Association, Agent, Motor Freight Tariff No. 16, Colo PUC No. 14, between Denver and Boulder, is .400 with a minimum of 5,500 gallons.

Under the provisions of Rule 18, C-(1)-(c) of the Rules of

Procedure, the proposed rate may be published on one day's notice to the general public and filing with the Commission. Since the proposal appears to represent a just, fair and reasonable rate an order should be entered prescribing said rate.

ORDER

THE COMMISSION ORDERS, That: --

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

2. The rate set forth in the Statement and Findings herein, subject to the rules and regulations provided in Colorado Motor Carriers' Association, Agent, Motor Freight Tariff No. 16, Colorado PUC No. 14, shall be the prescribed rate, rules, regulations and provisions of the Commission.

3. All motor vehicle common carriers who are affected by the changes prescribed herein shall publish or cause to be published tariffs reflecting the changes prescribed herein.

4. 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.

5. On and after November 9, 1965, all affected motor vehicle common carriers shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein prescribed.

6. On and after November 9, 1965, all private carriers by motor vehicle operating in competition with any motor vehicle common carrier affected by this order shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed.

7. 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.

8. 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.

9. This order shall become effective forthwith.

10. Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 3rd day of November,
1965.

av

Original

(Decision No. 66208)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE ISSUANCE OF TEMPORARY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER CHAPTER 115-9-4 (2) CRS 1963, FOR EMERGENCY MOVEMENT OF GRAIN SORGHUMS AND CORN.	)	APPLICATION NO. 21611

November 2, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Report has been received by the Commission from Frank Pagliano, Supervisor, Complaint and Investigation Division of this Commission, indicating that an emergency exists because of shortage of trucks for transportation of grain sorghums and corn in the Counties of Baca, Prowers, Bent, Otero, Kiowa, Cheyenne, Crowley, and Pueblo, State of Colorado.

Request is made for an Order of the Commission relative to issuance of temporary certificates of public convenience and necessity for the seasonal transportation of said crops in the above counties.

The Commission states and finds that an emergency exists because of the shortage in certificated trucks for transportation of grain sorghums and corn in the above set out counties and that public convenience and necessity requires that temporary certificates of public convenience and necessity should issue for the operation of motor vehicles for transportation of crops from fields to market or place of storage, as provided by Chapter 115-9-4 (2), CRS 1963, said certificates to be effective for a period of sixty (60) days, commencing November 2, 1965.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity be, and hereby are, authorized to be issued for the operation of motor vehicles, for the transportation of grain sorghums and corn, in the Counties of Baca, Prowers, Bent, Otero, Kiowa, Cheyenne, Crowley, and Pueblo, State of Colorado, said certificates to be effective for a period of sixty (60) days, commencing November 2, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 2nd day of November, 1965.

et

(Decision No. 66209)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF G. I. EXPRESS COMPANY, 1140 WEST 5TH AVENUE, DENVER, COLORADO.	PUC NO. 2589 and PUC NO. 2589-I

November 4, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

A written request from the above carrier has been received for a waiver from the Commission of its Rule relating to the filing of cash, or a surety bond, concerning C.O.D. shipments.

Upon full consideration of the matter the Commission states and finds that to grant the request will not be in the public interest and should be denied.

O R D E R

THE COMMISSION ORDERS:

That the request above referred to, 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 4th day of November, 1965.

et

Original

(Decision No. 66210)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
SCHULTZ TRUCKING SERVICE, INC.,)
904 CITY NATIONAL BANK BUILDING,)
OMAHA, NEBRASKA, FOR AUTHORITY TO)
TRANSFER INTERSTATE OPERATING RIGHTS) PUC NO. 5983-I-Transfer
TO ZIP TRANSFER, INC., 107 NINTH)
STREET EAST, McCOOK, NEBRASKA.)

November 4, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Schultz Trucking Service, Inc., Omaha, Nebraska, was granted a certificate of public convenience and necessity, PUC No. 5983-I, authorizing transportation:

> 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. 5983-I to Zip Transfer, Inc., McCook, Nebraska.

Inasmuch as the records and files of the Commission fail to disclose any reason why said transfer should not be authorized, the Commission states and 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 Schultz Trucking Service, Inc., Omaha, Nebraska, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 5983-I -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to

Zip Transfer, Inc., McCook, Nebraska, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, and subject to encumbrances, if any, against said certificate approved by this Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 4th day of November, 1965.

et

Original

(Decision No.66211)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF GEORGE W. SWARTZ, DOING BUSINESS AS "LOVELAND TAXI," 401 SOUTH LINCOLN, LOVELAND, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 526 TO DALE A. KOELLNER, DOING BUSINESS AS "LOVELAND TAXI CO.," 1346 EAST 7TH STREET, LOVELAND, COLORADO.

APPLICATION NO. 21483-Transfer

November 5, 1965

Appearances: Dale A. Koellner, Loveland, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, George W. Swartz, doing business as "Loveland Taxi," Loveland, Colorado, was granted a certificate of public convenience and necessity, PUC No. 526, authorizing operation as a common carrier by motor vehicle for hire, for the:

> Transportation of passengers, in and out of Loveland, subject to the following conditions: (a) radius of territory to which applicants shall confine operations shall not exceed seventy-five miles from Loveland; (b) rates of applicants shall, on all trips made to points having a regular service, whether by rail or motor vehicle, be at least thirty-three and one-third per cent greater per passenger than effective rates of regular scheduled carriers; (c) none of applicants' operations shall be on schedule; passengers and their hand baggage, in sightseeing service on conducted tours, between points and places in the City of Loveland, Colorado, and within a five-mile radius of Loveland, on the one hand, and to all points and places of interest within a seventy-five mile radius of Loveland, excluding Mount Evans, on the other hand, all such service to be conducted on a round-trip basis, only, all trips to originate and terminate at Loveland, Colorado, or within the five-mile radius thereof, their office to be maintained at Loveland, Colorado, only, and no agents employed to solicit business except within the five-mile radius of Loveland, Colorado.

By the above-styled application, said certificate-holder seeks authority to transfer PUC 526 to Dale A. Koellner, doing business as "Loveland Taxi Co.," Loveland, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

Report of the Examiner states that at the hearing, Dale A. Koellner, the transferee herein appeared and testified in support of the application, stating that he has entered into an agreement to acquire and to operate PUC No. 526 from the transferor herein; that the Agreement was filed with the application regarding the details of the transfer; that the consideration for the transfer is $8,233.80, which includes the certificate, certain equipment and assumption of an unpaid obligation to Tommy E. Johnson and Lois A. Johnson and the Guaranty Industrial Bank of Loveland, Colorado; that he has had seven years experience in the taxi business; that he has ample and suitable equipment, sufficient net worth and operating experience to render and to continue operations under this authority.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that Transferee will have sufficient equipment and experience to carry on the operation; that 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, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That George W. Swartz, doing business as "Loveland Taxi," Loveland, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 526 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Dale A. Koellner, doing business as "Loveland Taxi Co.," Loveland, Colorado, subject to encumbrances, if any, against said certificate, approved by this Commission.

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 sepend 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 hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 5th day of November, 1965.

et

Original

(Decision No. 66212)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF W. R. McCARTNEY AND MARILYN I. McCARTNEY, 2714 NORTH ARCADIA STREET, COLORADO SPRINGS, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21504-PP

November 5, 1965

Appearances: Marilyn I. McCartney, Colorado Springs, Colorado, for Applicants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicants herein seek authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Marilyn I. McCartney, one of the applicants herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that they have ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicants' proposed transportation services; that applicants will have sufficient equipment and experience to properly carry on the proposed operation; that applicants' financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of 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 W. R. McCartney and Marilyn I. McCartney, Colorado Springs, Colorado, be, and hereby are, 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 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 being restricted against the use of tank vehicles; and this ORDER shall be deemed to

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 5th day of November, 1965.

et

Original

(Decision No. 66213)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF RICHARD K. WILLIAMS AND JAMES L. WILLIAMS, DOING BUSINESS AS "TRI-W," BOX 217, CARBONDALE, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21539-PP

November 5, 1965

Appearances: Richard K. Williams, Carbondale, Colorado, pro se;
James L. Williams, Carbondale, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicants herein seek authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Richard K. Williams a co-partner of applicant partnership herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that they have ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicants' proposed transportation services; that applicants will have sufficient equipment and experience to properly carry on the proposed operation; that applicants' financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

O R D E R

That Richard K. Williams and James L. Williams, doing business as "Tri-W," Carbondale, 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 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 being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, 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 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 5th day of November, 1965

et

Original

(Decision No. 66214)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF GEORGE H. REESE AND JANICE C. REESE, DOING BUSINESS AS "COLORADO SPRINGS TRUCKING," 929 WEST CHEYENNE ROAD, COLORADO SPRINGS, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21545-PP

November 5, 1965

Appearances: Janice C. Reese, Colorado Springs, Colorado, for Applicants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicants herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Janice C. Reese, a co-partner of the applicant partnership herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that they have ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicants' proposed transportation services; that applicants will have sufficient equipment and experience to properly carry on the proposed operation; that applicants' financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of 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 H. Reese and Janice C. Reese, doing business as "Colorado Springs Trucking," 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 25 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 25 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 25 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius

of 25 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, 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 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 right of Applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of this Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 5th day of November, 1965.

et

Original

(Decision No. 66215)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO, 550-15TH STREET, DENVER, COLORADO, FOR AUTHORITY TO RENDER ELECTRIC SERVICE TO A PROPOSED NEW CUSTOMER, LEIGH F. OLDFATHER, LOCATED IN SECTION 24, TOWNSHIP 8 NORTH, RANGE 53 WEST, LOGAN COUNTY, COLORADO.	APPLICATION NO. 21407
IN THE MATTER OF THE APPLICATION OF HIGHLINE ELECTRIC ASSOCIATION, A COLORADO CORPORATION, HOLYOKE, COLORADO, FOR AN ORDER AUTHORIZING IT TO SERVE AN ELECTRIC CONSUMER LEIGH F. OLDFATHER, LOCATED IN THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 SECTION 24, TOWNSHIP 8 NORTH, RANGE 53 WEST, LOGAN COUNTY, COLORADO.	APPLICATION NO. 21466 AMENDED

November 5, 1965

Appearances: Lee, Bryans, Kelly & Stansfield, Esqs., by Richard W. Bryans, Esq., Denver, Colorado, for Public Service Company of Colorado;
Arnold, Ross & Leh, Esqs., by Baxter W. Arnold, Esq., Sterling, Colorado, for Highline Electric Association;
J. M. McNulty, Denver, Colorado, of the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

The above entitled application by the Public Service Company of Colorado (Public Service) was filed with this Commission on August 11, 1965. By this application Public Service seeks to render electric service to Mr. Leigh F. Oldfather to a trailer home located in Section 24, T 8 N, R 53 W, Logan County, Colorado. The Commission originally set this matter for hearing for September 13, 1965 but, by a subsequent order, vacated that hearing date and re-set the matter for hearing

before the Commission on Friday, October 8, 1965 at 10:00 o'clock A.M. at the Commission Hearing Room, 532 State Services Building, Denver, Colorado.

The above entitled application by Highline Electric Association (Highline) was filed with this Commission on August 31, 1965. This application by Highline also seeks to render service to Mr. Oldfather. This matter was also set for hearing by the Commission at the same time and place as the Public Service application; namely, October 8, 1965 at 10:00 o'clock A.M.

At the hearing, the attorney for Highline asked leave to amend the Highline application giving the location for the requested service by Mr. Oldfather as being located in Section 24, T 8 N, R 53 W, Logan County, Colorado.

There being no objection by the interested parties, the Commission granted the amendment.

Highline and Public Service are public utilities subject to the jurisdiction of this Commission and each holds a certificate of public convenience and necessity to supply electric service in areas designated as exclusive and joint as set forth in the Commission's Decision No. 59014 of July 30, 1962. The location herein sought to be served lies within the joint service area. A condition to the supply of electric service in the joint service area set forth in Decision No. 59014 provides, among others:

> "In the event the utilities do not agree which utility will provide the service within five working days after notification in writing to the other utility, by the utility desiring to provide such service, either or both utilities shall immediately make formal application for a certificate of public convenience and necessity to provide such service and neither utility will make such extension except upon Order of this Commission."

Each utility sought from the other utility concurrence to provide its service and in each instance concurrence was refused.

The evidence and testimony at the hearing revealed that both applicants have a signed application for service by Mr. Oldfather. Each utility has an electric line located approximately 1/4 mile east of the location where Mr. Oldfather has requested service. If service were to be supplied from these lines, there would be very little difference in the distance regardless of which utility were to serve and, consequently, very little difference in the cost to construct the necessary facilities. However, evidence further disclosed that Public Service is not now serving any customers in Section 24, while Highline is serving approximately 20 customers in said Section. About 16 of these customers served by Highline are located in the south half of Section 24 and about 4 customers are receiving service from Highline in the north half of said Section. In addition, Highline presently has pole lines along the north side of Section 24, along the south side of Section 24, and a line in the northwest 1/4 of Section 24, which, together with theline previously mentioned on the east side of Mr. Oldfather's location, places electric lines owned by Highline on all sides of the proposed location.

In view of the present situation regarding location of existing services by the two utilities, we feel that service should be rendered by Highline and, consequently, we shall deny the application of Public Service.

F I N D I N G S

THE COMMISSION FINDS:

That Public Service and Highline are both public utilities subject to the jurisdiction of this Commission.

That this Commission has jurisdiction of the subject matter herein.

That greater duplication of facilities will result if Public Service were to provide the service to Mr. Oldfather.

That lesser duplication of facilities will result if Highline is to provide the electric service to Mr. Oldfather.

That public interest requires that said electric service to Mr. Oldfather be supplied by Highline.

That the application of Highline should be granted and, consequently, the application of Public Service Company should be denied.

O R D E R

THE COMMISSION ORDERS:

That the application of Highline Electric Association to render electric service to Mr. Leigh F. Oldfather in Section 24, T 8 N, R 53 W, Logan County, Colorado, be granted and this ORDER shall be taken, deemed and held to be a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.

That Application No. 21407 of the Public Service Company of Colorado to render electric service to Mr. Leigh F. Oldfather be, and the same is hereby, denied.

That nothing herein contained shall be construed to be a criteria for the granting of a certificate of public convenience and necessity to supply electric service in the future at other locations in the joint service areas of these two utilities.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 5th day of November, 1965

et

Original

(Decision No. 66216)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

AURORA MOVING & STORAGE CO., INC.,
1475 LIMA STREET,
AURORA, COLORADO,

Complainant,

vs.

K. P. MOVING AND STORAGE, INC.,
1475 SOUTH ACOMA STREET,
DENVER, COLORADO,

Respondent.

CASE NO. 5309

November 5, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The above-styled case was regularly set for hearing before the Commission on September 20, 1965, at 10:00 o'clock A.M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. At the conclusion of the hearing as held thereon the matter was continued for re-setting at a future date to be determined by the Commission.

Subsequent thereto the Commission has received a "Motion to Withdraw," from David R. Calvert, Attorney for Complainant, requesting that said case be dismissed.

The Commission states and finds that said request should be granted and that Case No. 5309 should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That Case No. 5309 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 5th day of November, 1965.

et

Original

(Decision No.66217)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE COMMODITY RATES ON ASH, FLY, BETWEEN POINTS IN THE STATE OF COLORADO	)	CASE NO. 1585

November 5, 1965

STATEMENT AND FINDINGS

On October 7, 1965, The Colorado Motor Carriers' Association, Agent, filed 2nd revised page No. 42-D, item 249, to Motor Freight Tariff No. 14, Colorado PUC No. 13*(*The Motor Truck Common Carriers' Association, Agent, Series) naming distance commodity rates on ash, fly, in bulk in tank vehicles, minimum weight 35,000 pounds, applicable between points in Colorado over the lines of Raymond Pherson and Patricia M. Pherson d/b/a Pherson Trucking Co., The Weicker Transfer & Storage Company and North Denver Storage Co., d/b/a Weicker Transport Co., only, and as set forth in Appendix "A" hereto, and which is made a part hereof the same as if incorporated herein, published to become effective November 8, 1965.

Specialized equipment will be utilized by the proponents in the transportation of this commodity. Insofar as the Commission is advised, these three carriers are the only carriers in the State proposing to render this service. This proposal represents reductions in the rates and charges. No protest has been filed with the Commission.

Since the proposal appears to represent a just, fair and reasonable rate and charge for the carriers named herein, an order should be entered prescribing said rate and charge for such named carriers. 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 schedules, and as shown in Appendix "A" attached hereto.

ORDER

THE COMMISSION ORDERS, That:

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

2. The rates, rules, regulations and provisions as set forth in Appendix "A" shall on November 8, 1965 be the prescribed rates, rules, regulations and provisions of the Commission.

3. On and after November 8, 1965 motor vehicle common carriers named in the Statement and Findings herein shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein prescribed.

4. On and after November 8, 1965, North Denver Storage Co., d/b/a Weicker Transport Co., a private carrier by motor vehicle operating in competition with the motor vehicle common carriers affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed.

5. 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.

6. 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.

7. This order shall become effective forthwith.

8. Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado
this 5th day of November.
1965.

APPENDIX "A"

Changes effective November 8, 1965

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT
Motor Freight Tariff No. 14
Colorado PUC No. 13

2nd Revised Page No. 42-D

SECTION NO. 1
COMMODITY RATES
Rates are in Cents per 100 pounds

Item No.	Ash, Fly, in bulk in tank vehicles, minimum weight 35,000 pounds. Between Points in Colorado							See Below Rates
	Distance (Miles)	Plains Scale	Differential Scale	Mountain Scale	Distance (Miles)	Plains Scale	Differential Scale	Mountain Scale
	10	9	2	11	170	48	11	59
	15	11	1	12	180	50	10	60
	20	12	2	14	190	51	11	62
	25	14	1	15	200	53	10	63
	30	15	2	17	210	54	11	65
	35	17	3	20	220	56	12	68
	40	18	3	21	230	57	12	69
	45	20	3	23	240	59	12	71
	50	21	3	24	250	60	12	72
	55	23	3	26	260	62	12	74
	60	24	5	29	270	63	14	77
/	65	26	4	30	280	65	13	78
	70	27	5	32	290	66	14	80
249	75	29	4	33	300	68	13	81
Ⓡ	80	29	5	34	310	69	14	83
	85	30	6	36	320	71	15	86
	90	31	6	37	330	72	15	87
	95	32	6	38	340	74	15	89
	100	33	6	39	350	75	15	90
	105	35	6	41	360	77	15	92
	110	36	8	44	370	78	17	95
	115	38	7	45	380	80	16	96
	120	39	8	47	390	81	17	98
	125	41	7	48	400	83	16	99
	130	42	8	50	410	84	17	101
	135	43	9	52	420	86	18	104
	140	44	9	53	430	87	18	105
	145	44	9	53	440	89	18	107
	150	45	9	54	450	90	18	108
	160	47	9	56	460	92	18	110

Applies via Raymond Pherson and Patricia M. Pherson, d/b/a Pherson Trucking Co., The Weicker Transfer & Storage Company, and North Denver Storage Co., d/b/a Weicker Transport Co., only.

Original

(Decision No. 66218)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF INTERNATIONAL BUSINESS MACHINES CORPORATION, 1000 WESTCHESTER AVENUE, WHITE PLAINS, NEW YORK, AND THE COLORADO AND SOUTHERN RAILWAY COMPANY, DENVER, COLORADO, FOR AUTHORITY TO INSTALL A GRADE CROSSING AND PROTECTION DEVICES AT STATE HIGHWAY NO. 119, NEAR NIWOT, BOULDER COUNTY, COLORADO.

APPLICATION NO. 21560

November 8, 1965

Appearances: Robert L. Shanstrom, Esq., Denver, Colorado, for International Business Machines Corporation, Applicant;
W. L. Peck, Esq., Denver, Colorado, for The Colorado and Southern Railway Company, Applicant;
John P. Holloway, Esq., Denver, Colorado, for Colorado Department of Highways;
J. L. McNeill, Denver, Colorado, of the Staff of the Commission.

STATEMENT

BY THE COMMISSION:

The above-entitled application was filed with the Commission on October 13, 1965; thereafter, it was set to be heard before the Commission on October 25, 1965, at the Commission Hearing Room, 532 State Services Building, Denver, Colorado.

Following usual notice to all interested parties, the matter was heard as scheduled.

At the commencement of the hearing a motion was made by The Colorado and Southern Railway Company to make the Railway Company a joint applicant with International Business Machines Corporation (I.B.M.). Said motion was granted and the Railway Company was made a joint applicant.

The purpose of the application is to secure Commission approval for the construction of a new Highway-railroad grade crossing with installation of protection devices consisting of Flasher-light signals at State Highway No. 119 near Niwot, Boulder County, Colorado.

At the hearing Mr. John S. McDonald, Director of Operations, Western Area, Real Estate and Construction Division, of International Business Machines Corporation offered as Exhibit No. 1, a Vicinity Map drawing showing the location of I.B.M. property with relation to the surrounding towns of Boulder and Niwot. He also offered as Exhibit 2, a General Site plan drawing showing the location of the plant being constructed by International Business Machines Corporation near Niwot, Colorado, and its relation to the Main-line of The Colorado & Southern Railway Company and adjacent Colorado Highway No. 119. Mr. McDonald testified that it was the corporate policy of International Business Machines Corporation to provide rail trackage at all of its plants and further that they also felt that they should have rail trackage for secondary transportation needs. The track location was picked since it could be extended to the west side of the plant area where material handling would eventually take place. Highway No. 119 is presently a two-lane highway with a speed limit of 60 miles per hour. A traffic study had been made and showed that there were approximately 4,000 cars a day now using this highway. The plans for the crossing have been developed with the Railway Company and it is planned that flashing lights be installed on a cantilever structure. Under the terms of an agreement with the Railway Company the installation and maintenance would be done by the Railway Company at the sole expense of I.B.M. Mr. McDonald expected that rail traffic would average approximately one car a week, although this might change in the future. He was unable to judge as to the possible increase in automotive traffic over this crossing since there were other access roads to the plant area which would not require going over this

crossing. Because of the location of the service area at the plant, it was doubtful that many trucks moving to and from the plant would go over this crossing. It was expected that by the end of 1966 I.B.M. would have approximately 2,000 employees at this location. I.B.M. will handle with Public Service Company for the raising of the power line at this location.

Evidence was presented by the Railway Company as to the agreement between the Railway Company and I.B.M., the operation of the signals, and the train operations over said crossing.

Mr. E. A. Graham, Assistant Chief Engineer of the Railway Company, stated that his office had prepared the contract between the Railway Company and I.B.M., and that he was familiar with the application and the proposed installation. He described the proposed signals as consisting of a vertical curbside mast at each side of the crossing and provided with a horizontal overhead cantilever arm extension. Double back-to-back flasher signal lights will be placed on both the mast and overhead arm. The installation will not include a bell since no pedestrian traffic is involved. More complete signal dimensions are shown on Exhibit "B" of the instant application. He stated that the Western Union line was to be raised by the Railway Company at the expense of I.B.M., and would after being raised comply with the clearance regulations of the Commission. He stated that the circuits on the siding for the signals would be actuated 100 feet on either side of the highway, making a total distance of 260 feet which would actuate the signals if a train were located thereon. The maximum speed of any overations over this crossing would be 10 miles per hour. This track would normally be switched by the southbound local which, under the present schedules, would mean that all switching would be done at night when the highway traffic would be light, and when the signals would also be readily ascertainable. On rare occasions switching might be done by a northbound train. Mr. Graham

further testified that a walkway and handrail would be installed on the west side of Bridge No. 35.86 on the Railway Company's main line for the benefit of trainmen doing switching at this location. Estimated cost of complete protection to be paid by I.B.M. is $31,000, which also includes initial spur track construction of 1,067 feet in length, and shown on Application Exhibit "A". If Highway No. 119 is widened in the future, the signals to be installed could be used on the widened highway, although it might be necessary to build new foundations and install extra signals depending on the design of the highway.

The State Highway Department stated that it had no objection to the construction of this crossing, and that a written permit would be forthcoming which would be filed as a late-filed exhibit.

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 installation of a grade crossing and automatic railroad flasher light signals at State Highway No. 119, near Niwot, Boulder County, Colorado.

That the circumstances relating to industry need and public use of the crossing, present and future, are such as to require the installation of highway-railroad crossing and proposed protection devices.

That the authority sought in the instant application should be granted for the construction of the crossing and the installation of protection devices as noted.

O R D E R

THE COMMISSION ORDERS:

That the applicants, International Business Machines Corporation and The Colorado and Southern Railway Company, be, and hereby are, granted a certificate of public convenience and necessity to

authorize and approve:

(a) Construction of a highway-railroad grade crossing on I.B.M. Industry spur track (M.P. 35.92), and

(b) the installation and operation of standard cantilever and mast type railroad flasher signals, all at State Highway No. 119, near Niwot, Boulder County, Colorado.

That the work to be done, installation and maintenance of the crossing and signals shall be by the Railway Company as indicated in the preceding statement, which statement is hereby by reference made a part hereof.

That the proposed warning devices and design shall all be in conformance with the Bulletin of the Association of American Railroads' Joint Committee on Railroad Protection.

That standard reflectorized Advance Warning signs be placed on the highway approaches as a part of the complete crossing protection.

That the Commission hereby retains jurisdiction to make such further Order, or Orders, as may be required in the instant matter.

That this matter shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 8th day of November, 1965

et

Original

(Decision No. 66219)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE LCL COMMODITY RATES MILK AND/OR CREAM, FRESH; CREAM, SOUR OR CURD, IN CANS	)	CASE NO. 1585

November 8, 1965

STATEMENT AND FINDINGS

BY THE COMMISSION:

On October 25, 1965, Colorado Motor Carriers' Association, Agent, filed its application No. 306 for and on behalf of North Eastern Motor Freight, Inc., petitioning the Commission for permission to publish, on one day's notice, the following rates applicable on

Milk and/or cream, fresh; Cream, sour or curd; in cans

From	To	Rates ①
Crook, Colorado	Sterling, Colorado	30
Julesburg, "		33
Oxford, "		33
Peetz, "		30
Proctor, "		30
Sedgwick "		33

① Rates in cents per 5-gallon can
Rates include return of empty cans

Mr. William W. Shipp of North Eastern Motor Freight, Inc., in support of the application, states by letter dated October 25, 1965,--

> "The railroad has been hauling this movement in the past and effective Tuesday, October 26th, will discontinue its operation on LTL* freight between these points. Since our present LTL rates are prohibitive to the shipper these rates are essential to the farming communities economy.
>
> "The shipments are all delivered to the same consignee in Sterling, thus necessitating only one delivery regardless of the number of shipments from different origins. The pick-up would be from customers who receive freight from Denver every day and could be made at the time their freight is delivered.

"The shippers have been paying approximately the same rates by rail in the past and economically could not pay any higher freight rates."

*denotes less-than-truckload.

The proposed rates are 110% of the rates assessed when the subject traffic moves in rail baggage car service.

Mr. Meredith F. Crist, Crist's Creamery, Sterling, Colorado, in a letter dated October 26, 1965, and forwarded to the Commission, states that he has no objections to the proposal of the carrier.

Under the provisions of Rule 18, Paragraph C - (1), (c) of the Rules of Procedure, the application No. 306, as requested may be published on one day's notice to the general public and filing with the Commission. Since the proposal appears to represent just, fair and reasonable rates and charges an order should be entered prescribing said changes.

ORDER

THE COMMISSION ORDERS, That: --

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

2. The rates and charges as set forth in the Statement of this order, subject to the rules and regulations as provided in Colorado Motor Carriers' Association, as Agent, Motor Freight Tariff 12-A, Colorado PUC No. 11* (*The Motor Truck Common Carriers' Ass'n, Agent, Series) shall be the prescribed rates, rules, regulations and provisions of the Commission.

3. All motor vehicle common carriers who are affected by the changes prescribed herein shall publish or cause to be published tariffs reflecting the changes prescribed herein.

4. 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.

5. On and after November 9, 1965, all affected motor vehicle common carriers shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein prescribed, provided that call and demand motor vehicle common carriers shall be subject to the penalty rule of twenty (20) per cent.

6. On and after November 9, 1965, all private carriers by motor vehicle operating in competition with any motor vehicle common carrier affected by this order shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed, provided that Class "B" private carriers shall be subject to the penalty rule of twenty (20) per cent.

7. 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.

8. 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.

9. This order shall become effective forthwith.

10. Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado this
8th day of November, 1965.
av

(Decision No.66220)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Paul E. Melvin)
107 Stone Court) PUC NO. 4544-I
Sterling, Colorado)
)

- - - - - - - - - - - - - - - - - - - -

November 9, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 5, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Hinlan

Commissioners

Dated at Denver, Colorado,
this 9th day of November 1965.
et

(Decision No. 66221)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
E. B. Webb)
1116 North Cedar) PERMIT NO. B-2761
Colorado Springs, Colo. 80900)
)

November 9, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 16, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Edward S. Bjelland

Ralph C. Hanford

Commissioners

Dated at Denver, Colorado,
this 9th day of November 196 5
et

(Decision No.66222)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Douglas Hudson)
PO Box 945) PUC NO. 6058-I
Sterling, Colorado 80751)
)

- -

November 9, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 31, 1965.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Edward S. Bjel...

Ralph C. Hurlbut

Commissioners

Dated at Denver, Colorado,
this 9th day of November 1965.

et

Original

(Decision No. 66223)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
WILLIAM R. MATT, P. O. BOX 36,) APPLICATION NO. 21432-Transfer
BROOMFIELD, COLORADO.) SUPPLEMENTAL ORDER

November 9, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that operating rights granted by Decision No. 65756, dated September 10, 1965 be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That suspension of motor vehicle operations granted by Decision No. 65756, dated September 10, 1965, be, and the same hereby is, authorized from October 1, 1965 until April 1, 1966.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Edward S. Bjelland

Ralph C. Hurlbert

Commissioners

Dated at Denver, Colorado,
this 9th day of November, 1965.

et

(Decision No. 66224)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
PAUL E. MELVIN, CHAPPELL, NEBRASKA.) PERMIT NO.M-4458
)
)
)

- -

November 12, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 5, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 12th day of November 196 5.

hc

(Decision No. 66225)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JAMES T. CONLEY, ROUTE 1, LA JUNTA,) PERMIT NO. M-2755
COLORADO.)

November 12, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 8, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard L. Bjelland
Ralph C. Hanson
Commissioners

Dated at Denver, Colorado,
this 12th day of November 196 5.

hc

(Decision No. 66226)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
MANUEL TORRES, 912 SOUTH BALTIC,) PERMIT NO. M-2606
COLORADO SPRINGS, COLORADO.)
)

November 12, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 3, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Edward S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 12th day of November 196 5.

hc

(Decision No. 66227)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
REINHOLD EHRLICH, DOING BUSINESS AS,) PERMIT NO. M-1726
"EHRLICH'S WATER SERVICE", P. O.)
BOX 201, WINDSOR, COLORADO.)

November 12, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 21, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold L. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 12th day of November 196 5.

hc

(Decision No. 66228)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
E. R. LAMBUTH, 2645 WEST 34TH AVENUE, DENVER 11, COLORADO.) PERMIT NO. M-14063

November 12, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 11, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 12th day of November 196 5.

hc

(Decision No. 66229)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
E. B. WEBB, 1116 NORTH CEDAR,) PERMIT NO. M-3125
COLORADO SPRINGS, COLORADO.)
)

November 12, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 16, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Edward S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 12th day of November 1965.

hc

(Decision No. 66230)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
MARVIN SCHWAN, DOING BUSINESS AS,) PERMIT NO. M-5561
"SCHWANS ICE CREAM COMPANY OF COLO-)
RADO", 115 SOUTH 2ND STREET,)
MARSHALL, MINNESOTA. - - - - - - - - -

- - - - - - - - -
November 12, 1965
- - - - - - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 30, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 12th day of November 196 5.

hc

(Decision No. 66231)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
GARDNER MOTOR COMPANY, (CORPORATION),) PERMIT NO. M-7056
115 RATON AVENUE, LA JUNTA, COLORADO.)
)

- -

- - - - - - - - - -
November 12, 1965
- - - - - - - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 22, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold D. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 12th day of November 196 5.

hc

(Decision No. 66232)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF WILLIAM C. HUNT, DOING BUSINESS AS, "HAY GULCH COAL COMPANY", HESPERUS, COLORADO.

PERMIT NO. M-6704

November 12, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 20, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 12th day of November 1965.

hc

(Decision No. 66233)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
GALLIGAN MEAT COMPANY, 1220 35TH) PERMIT NO. M-7834
STREET, DENVER, COLORADO.)
)

November 12, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 16, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard L. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 12th day of November 1965.

hc

(Decision No.66234)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
DOUGLAS HUDSON, P. O. BOX 945,) PERMIT NO.M-12944
STERLING, COLORADO.)
)

November 12, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 31, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Horton
Commissioners.

Dated at Denver, Colorado,
this 12th day of November 196 5.

hc

(Decision No. 66235)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
STANLEY G. MASTIN, DOING BUSINESS AS,) PERMIT NO. M-14331
"MASTIN AND MASTIN", 110 EAST 8TH)
STREET, BELOIT, KANSAS.)

November 12, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 18, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 12th day of November 196 5.

hc

(Decision No. 66236)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
HOMER B. TROXEL, 802 BAKER STREET,) PERMIT NO. M-14951
LONGMONT, COLORADO.)

November 12, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 13, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold L. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 12th day of November 1965.

hc

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Decision No. 66237

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
KEITH APPLEGATE AND MORRIS OLIPHINT)
DBA GAMBLE AUTHORIZED DEALER)
Box 7461)
Craig, Colorado 81626)
)
-)

AUTHORITY NO. M 12836

CASE NO. 2795 Ins.

- - - - - - - - - - - - - - - -
November 10, 1965
- - - - - - - - - - - - - - - -

S T A T E M E N T

By the Commission:

On October 21, 1965, 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. Zarlengo

Howard S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 10th day of November, 1965

bb

(Decision No.66238)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Ford Van Lines, Inc.)
56th & Cornhusker Hiway) PUC NO. 642-I
Lincoln, Nebraska)
)

- -

- - - - - - - - - -
November 10, 1965
- - - - - - - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 1, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Edward L. Bjelland

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 10th day of November 1965.
et

(Decision No. 66239)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Arnold S. Davis)
1360 No. 18th Street) PERMIT NO. B-6608
Grand Junction, Colo. 81501)

November 10, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

November 6, 1965 until May 6, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Dave L. Bjelland

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 10th day of November 196 5.
et

(Decision No. 66240)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

FREIGHT, ALL KINDS, IN TRAILERS OR SEMI-TRAILERS TOWED BETWEEN POINTS IN COLORADO	INVESTIGATION AND SUSPENSION Docket No. 554

November 10, 1965

STATEMENT AND FINDINGS

BY THE COMMISSION:

On June 15, 1965, Sorenson Truck Service, Inc., 306 Kimbark Street, Longmont, Colorado, by its President, Chris Sorenson, filed supplement No. 2 to its Motor Freight Tariff No. 3, Colorado PUC No. 3, Item 70-A, scheduled to become effective July 15, 1965, naming new and reduced rates and charges on freight, all kinds, in trailers or semi-trailers, towed between all points in Colorado.

By Decision No. 65322, dated July 12, 1965, in the subject docket, the operation of said schedules was suspended and the use thereof deferred to and including November 12, 1965, unless otherwise ordered. It now appears that the matter cannot be concluded within the suspension period and, therefore, should be further extended for an additional period of three (3) months, or until February 12, 1966.

ORDER

THE COMMISSION ORDERS, That:

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

2. The operation of said schedule, as referred to in the statement herein, shall be further suspended for an additional period of three months or to and including February 12, 1966, unless otherwise ordered by the Commission.

3. The rates 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 extension thereof has expired.

4. A copy of this order shall be filed with the said tariff in the office of the Commission and that a copy thereof be forthwith served upon Chris Sorenson, President, Sorenson Truck Service,Inc., 306 Kimbark Street, Longmont, Colorado.

5. The necessary suspension supplement shall be issued to the tariff referred to in the Statement herein.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado
this 10th day of November,
1965.

(Decision No. 66241)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF AIRPORT LIMOUSINE SERVICE, INC., 3455 RINGSBY COURT, DENVER, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AUTHORIZING EXTENSION OF OPERATIONS UNDER PUC NO. 2778.

APPLICATION NO. 21518-Extension

November 10, 1965

Appearances: Walter M. Simon, Esq., Denver, Colorado, for Applicant;
John F. Mueller, Esq., Denver, Colorado, for Zone Cab Co., and Ritz Cab Co.;
George T. Ashen, Esq., Denver, Colorado, for Teamsters Union Local 775.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The above captioned application was called up for hearing pursuant to due notice thereof having been forwarded to all parties in interest.

Mr. Simon entered his appearance for the applicant and moved that he be permitted to enter the appearances of John F. Mueller, Attorney for Zone Cab Co. and Ritz Cab Co. and for George T. Ashen, Attorney for Teamsters Local 775. Said Motion was granted.

Mr. Simon stated that pursuant to a stipulation between counsel for all parties it was agreed, subject to approval of the Commission, that the application be re-set for November 16, 1965 at 2:00 P.M., at Denver, Colorado.

It appearing that such continuance is compatible with the public interest the Commission finds that the hearing should be re-set as stated.

O R D E R

THE COMMISSION ORDERS:

That the above-captioned application be, and the same hereby is, set for hearing at 2:00 P.M. on November 16, 1965, at 532 State Services Building, Denver, 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 10th day of November, 1965.

et

(Decision No. 66242)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF WILLIAM E. WATSON AND VIVIANNE WATSON, DOING BUSINESS AS "BILL WATSON FREIGHT LINE," BOX 1558, ESTES PARK, COLORADO.	PUC NO. 226, PERMIT NO. A-86, B-4228

November 12, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

A written request from the above carrier has been received for a waiver from the Commission of its Rule relating to the filing of cash, or a surety bond, concerning C.O.D. shipments.

Upon full consideration of the matter the Commission states and finds that to grant the request will not be in the public interest and should be denied.

O R D E R

THE COMMISSION ORDERS:

That the request above referred to 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 12th day of November, 1965.

et

(Decision No. 66243)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JACK E. EDSON AND MARJORIE J. EDSON,)
DOING BUSINESS AS "EDSON EXPRESS,")
P. O. BOX 925, LONGMONT, COLORADO,)
FOR AUTHORITY TO TRANSFER INTERSTATE) PUC NO. 3136-I-Transfer
OPERATING RIGHTS TO EDSON EXPRESS,)
INC., P. O. BOX 925, LONGMONT, COLO-)
RADO.)

November 12, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Jack E. Edson and Marjorie J. Edson, doing business as "Edson Express," Longmont, Colorado, were granted a certificate of Public convenience and necessity, PUC No. 3136-I, authorizing transportation of:

> Freight, between Longmont, Colorado, and Denver, Colorado, in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended. 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. 3136-I to Edson Express, Inc., Longmont, Colorado.

Inasmuch as the records and files of the Commission fail to disclose any reason why said transfer should not be authorized, the Commission states and 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 Jack E. Edson and Marjorie J. Edson, doing business as "Edson Express," Longmont, Colorado, be, and hereby are, authorized to transfer all right, title and interest in and to PUC No. 3136-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Edson Express, Inc., Longmont, Colorado, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, and subject to encumbrances, if any, against said certificate approved by this Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 12th day of November, 1965

et

(Decision No. 66244)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF THE AEGIS CORPORATION, 2680 EAST ARAPAHOE, BOULDER, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT NO. B-5540 TO D. J. SEBER, LEONARD DeLUE AND TED P. RINKER, DOING BUSINESS AS ARMORED MOTORS SERVICE," 970 YUMA STREET, DENVER, COLORADO.

APPLICATION NO. 21512-PP-Transfer

November 12, 1965

Appearances: Herbert M. Boyle, Esq., Denver, Colorado, for Transferor and Transferees.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, The Aegis Corporation, Boulder, Colorado, was granted Permit No. B-5540, authorizing the:

> Transportation of money (coin and currency), checks, bank drafts, negotiable instruments and business papers, and other valuables as may require armed protection during transit, from point to point within a radius of fifty miles of the offices of applicant, in Boulder, Colorado.

By the above-styled application, said permit-holder seeks authority to transfer said permit to D. J. Seber, Leonard DeLue and Ted P. Rinker, doing business as "Armored Motors Service," denver, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Ted P. Rinker, Denver, Colorado, appeared and testified in support of the granting of the instant application, stating that he is a general partner in the transferee partnership. He identified Exhibit A as a copy of an Agreement between transferor and transferee whereby in consideration of the sum of $5,000.00 the transferor conveys to the transferee an armored car, certain office equipment and Permit No. B-5540; Exhibit B as a Balance Sheet as of June 30, 1965 of the transferee showing its financial status; Exhibit C as an equipment list of the transferee; and Exhibit D as a copy of authority No. B-958 and I owned by Armored Motors Service, the transferee herein.

Mr. Rinker also testified that the transferee has considerable experience in the transportation of money, checks and other valuables; that its equipment is adequately suited to the special needs of customers requiring transportation of such valuables; and that financially, the transferee is able to adequately and fully maintain its equipment and provide what additional equipment may be necessary to fully accommodate the needs of its customers.

Mr. Joseph J. Zorichak, also appeared and testified that he is President of the Aegis Corporation, the transferor herein; and that the proposed transfer would be free and clear of all liens and encumbrances whatsoever.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that transferee partnership will have sufficient equipment and experience to properly carry on the operation; that transferees' financial standing is established to the satisfaction of the Commission; 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 The Aegis Corporation, Boulder, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to Permit No. B-5540 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to D. J. Seber, Leonard DeLue and Ted P. Rinker, doing business as "Armored Motors Service," Denver, Colorado, subject to encumbrances, if any, against said permit approved by this Commission.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order, shall automatically revcke 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.

That 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 12th day of November, 1965.

et

(Decision No. 66245)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JOHN FREEHLING, 4978 LINCOLN STREET, DENVER, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 3288 TO METROPOLITAN TRASH, INC., 6365 BRENTWOOD, ARVADA, COLORADO.

APPLICATION NO. 21506-Transfer

November 15, 1965

Appearances: Robert E. McLean, Esq., Denver, Colorado, for Applicants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, John Freehling, Denver, Colorado, was granted certificate of public convenience and necessity, PUC No. 3288, authorizing operation as a common carrier by motor vehicle for hire, for:

> Transportation of ashes, trash, and other refuse, between points in the City and County of Denver, and from points in the City and County of Denver, to regularly-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

By the above-styled application, said certificate-holder seeks authority to transfer PUC No. 3288 to Metropolitan Trash, Inc., Arvada, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Marion Gilreath, President of Metropolitan Trash, Inc., Arvada, Colorado, identified Exhibit A as an Agreement between John Freehling, the

owner of PUC No. 3288 and Metropolitan Trash, Inc., a Colorado corporation. By this agreement, the Transferee agrees to purchase PUC No. 3288 together with certain equipment, the good will, the customer lists, and accounts receivable of the Transferor for a total sales price of $6,500.00. Mr. Gilreath stated that in his opinion, this was a reasonable price and that John Freehling was retiring from the ash and trash removal business because of ill health. He also stated that there is an additional consideration the Transferee corporation agrees to assume and take over all payments on a 1964 Chevrolet 2-ton truck as stated in Exhibit A. Mr. Gilreath stated that Exhibit A, the Agreement heretofore referred to, is contingent upon securing the approval of the Public Utilities Commission for the proposed transfer.

Mr. Gilreath stated that the Transferee corporation has a net worth of $125,000.00; that it owns and maintains four packer type trucks for trash removal; and that it has for several years operated under another PUC authority for ash and trash removal. He advised that the personnel of the Transferee corporation are well experienced in this type of transportation; that they are acquainted with the rules, regulations and laws of the State of Colorado pertaining to private carriers and have carefully, in the past, abided by such rules, regulations and laws. He also stated that provisions have been made for insurance as required by the Commission.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that Transferee will have sufficient equipment and experience to properly carry on the operation; that Transferee's financial standing is established to the satisfaction of the Commission; that the pro-

posed transfer is compatible with the public interest, and should be authorized, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That John Freehling, Denver, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 3288 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Metropolitan Trash, Inc., Arvada, Colorado, subject to encumbrances, if any, against said certificate, approved by this Commission.

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 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 the 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 15th day of November, 1965.
et

(Decision No. 66246)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF SOUTHWESTERN TRANSPORTATION COMPANY, A CORPORATION, 1804 FRANKLIN AVENUE, CANON CITY, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 268 AND PUC NO. 268-I TO JOSEPH E. BERTA AND EARL J. BERTA, DOING BUSINESS AS "BERTA BROS. TRANSPORTATION," 1804 FRANKLIN AVENUE, CANON CITY, COLORADO.	APPLICATION NO. 21515-Transfer

November 12, 1965

Appearances: John P. Thompson, Esq., Denver, Colorado, for Applicants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Southwestern Transportation Company, a corporation, Canon City, Colorado, was granted a certificate of public convenience and necessity, PUC No. 268 and PUC No. 268-I, authorizing operation as a common carrier by motor vehicle for hire, for:

> Transportation of freight, excluding cement in sacks and excluding household goods, in call and demand service from point to point within the City of Canon City and between points within a radius of 35 miles thereof, and between points within the State of Colorado;
>
> Provided, however, that no transportation of cement in bulk shall be performed under this authority except between points located within 35 miles of Canon City, Colorado;
>
> Between all points in Colorado and the Colorado state boundary lines where all highways cross same in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

By the above-styled application, said certificate-holder seeks authority to transfer PUC No. 268 and PUC No. 268-I to Joseph E. Berta and Earl J. Berta, doing business as "Berta Bros. Transportation," Canon City, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

Report of the Examiner states that at the hearing, Earl J. Berta, Canon City, Colorado, testified that he and his brother Joseph E. Berta own the stock of the transferor corporation, Southwestern Transportation Company. This corporation owns PUC Nos. 268 and 268-I and the purpose of the within application is to transfer ownership of this authority to Joseph E. Berta and Earl J. Berta, a partnership, doing business as "Berta Bros. Transportation," 1804 Franklin Avenue, Canon City, Colorado. Earl J. Berta further testified that if the transfer is approved, the Southwestern Transportation Company will be dissolved.

Earl J. Berta stated that at the time of the filing of the within application, a statement of indebtedness was filed with a financial statement entitled "Berta Brothers Contractors," and that this should be considered the financial statement of the new partnership firm of "Berta Bros. Transportation," and that in accordance with the statement of indebtedness, Joseph E. Berta, the President of the Southwestern Transportation Company, certified that there is no indebtedness outstanding in connection with the operations con-

ducted under PUC Nos. 268 and 268 and I except current bills. This statement of indebtedness further certifies on behalf of the transferor corporation that if the Public Utilities Commission approves the application for transfer, all indebtedness connected with the operations under PUC Nos. 268 and 268-I will be paid before the transfer is completed. Mr. Earl J. Berta also testified that the financial statement filed with the application substantially reflects the financial status of himself and co-partner Joseph E. Berta as of the date of hearing.

If the transfer is approved, there will be no change in the operations under said authorities and the equipment, personnel and the location of the office will remain the same as it presently exists.

Mr. Earl J. Berta further testified that the Interstate Commerce Commission has already approved the transfer from Southwestern Transportation Company to Earl J. Berta and Joseph E. Berta, doing business as "Berta Bros. Transportation;" that the transferees will continue to use the same equipment, which is adequate and sufficient; and that both he and Joseph E. Berta are fully acquainted with the rules, regulations and laws of the State of Colorado pertaining to common carriers and will abide by the same.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that transferees will have sufficient equipment and experience to properly carry on the operation; that transferees' financial standing is established to the satisfaction of the Commission; 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 Southwestern Transportation Company, a corporation, Canon City, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 268 and PUC No. 268-I -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Joseph E. Berta and Earl J. Berta, doing business as "Berta Bros. Transportation," Canon City, Colorado, subject to encumbrances, if any, against said certificates, approved by this Commission.

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

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificates have been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of 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 certificates.

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 12th day of November, 1965.

et

(Decision No. 66247)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE ISSUANCE OF TEMPORARY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER CHAPTER 115-9-4 (2) CRS 1963, FOR EMERGENCY MOVEMENT OF SUGAR BEETS.

APPLICATION NO. 21634

November 10, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Report has been received by the Commission from Frank Pagliano, Supervisor, Complaint and Investigation Division of this Commission, indicating that an emergency exists because of shortage of certificated trucks for transportation of sugar beets from loading dumps and stations to the processing plants in the counties of Adams, Kit Carson, Baca, Bent, Crowley, Otero, Ouray, Prowers, Pueblo, Logan, Sedgwick, Washington, Morgan, Yuma, Weld, Boulder, Larimer, Mesa, Delta, Montrose, State of Colorado, for a period of ninety (90) days commencing November 10, 1965.

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

The Commission states and finds that an emergency exists because of shortage in certificated trucks for transportation of sugar beets in the counties above set forth, and that public convenience and necessity require that temporary certificates issue for the operation of motor vehicles for the transportation of said crop as provided by Chapter 115-9-4 (2) CRS 1963, said certificates to be effective for a period of ninety (90) days, commencing November 10,1965.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity be, and are hereby, authorized to be issued for the operation of motor vehicles for the transportation of sugar beets, from loading dumps and stations to the processing plants in the Counties of Adams, Kit Carson, Baca, Bent, Crowley, Otero, Ouray, Prowers, Pueblo, Logan, Sedgwick, Washington, Morgan, Yuma, Weld, Boulder, Larimer, Mesa, Delta, and Montrose, State of Colorado, said certificates to be effective November 10, 1965, and to continue in force for a period of ninety (90) days thereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 10th day of November, 1965

et

(Decision No. 66248)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MINIMUM CHARGE AND COMMODITY RATES BURIAL CASES (CASKETS OR COFFINS) OR CASKET SHELLS, NOI, SET UP	)	CASE NO. 1585

November 12, 1965

STATEMENT AND FINDINGS

BY THE COMMISSION:

On October 14, 1965, The Colorado Motor Carriers' Association, Agent, for and on behalf of carriers designated, filed 19th Revised Page 92 and 1st Revised Page 195-B to its Local and Joint Freight Tariff No. 12-A, Colorado PUC No. 11* (*The Motor Truck Common Carriers' Association, Agent, Series), setting forth the following provisions and rates, scheduled to become effective November 19, 1965.

Item No.	RULES AND REGULATIONS Application
	Minimum Charge: Exceptions.
	(I) The minimum charge for a single shipment from one consignor to one consignee on one Bill of Lading in one day via Thomas C. Young and Helen Young, d/b/a Plateau Valley Stage Line will be Ⓐ $1.25

Item 930-I which it is proposed to cancel, reads as follows:

"The minimum charge for a single shipment from one consignor to one consignee on one Bill of Lading in one day via Thomas C. Young and Helen Young, d/b/a Plateau Valley Stage Line will be 75 cents, except that on all shipments other than those transported between Grand Junction, Palisade, Mesa, Molina or Collbran, Colorado, and intermediate points, the minimum charge will be $1.25."

For the account of the carriers designated, the following commodity rates on burial cases have been proposed:

Ⓐ denotes increase

Item No.	Rates are in cents per 100 pounds				
	Commodities in the same item may be shipped in straight or mixed truck load.		From		To
			Denver, Colo.		See Below
Burial Cases (Caskets or Coffins) or Casket Shells, NOI, Set up					
To Colorado	Rate	Route No.	To Colorado	Rate	Route No.
Alamosa	389	87	Gunnison	398	87
Aspen	403	87	Hotchkiss	478	87
Boulder	178	49	Idaho Spgs.	225	30
Buena Vista	331	87	Leadville	323	87
Canon City	254	87	Longmont	179	28
✓ Cortez	528	87	Loveland	200	12
1386 Del Norte	405	87	Manassa	408	87
Delta	461	87	Meeker	423	100
Ⓡ Durango	491	87	Monte Vista	405	87
Eagle	341	87	Montrose	449	87
Fairplay	288	21	Ouray	478	87
Florence	248	87	Pagosa Spgs	452	87
Ft. Collins	211	158	Paonia	480	87
Fruita	449	87	Rifle	386	87
Glenwood Spgs	369	87	Salida	345	87
Grand Jct.	438	87	Silverton	490	87

✓ denotes addition
Ⓡ denotes reduction

Route No. 12 -- Denver-Loveland Transportation, Inc. - direct
21 -- South Park Motor Lines - direct
28 -- Edson Express - direct
30 -- Denver-Climax Truck Line, Inc. - direct
49 -- Boulder-Denver Truck Line - direct
87 -- Rio Grande Motor Way, Inc. - direct
100 -- Rio Grande Motor Way, Inc., Rifle, Colorado, Harp Transportation Co.
158 -- Denver-Laramie-Walden Truck Line, Inc., - direct

In support of the proposed reduced rates on burial cases, Mr. Ralph Knull, General Traffic Manager, Rio Grande Motor Way, Inc., states in a letter received from the association, that: --

> "These rates are based on Class 125 and have been requested by several of the casket manufacturing companies as well as the receivers because of the action of the railroads in placing an embargo on LCL* shipments."

Mr. A. T. Law of The Law & Sons Casket Company, Denver, Colorado states in part in a letter forwarded to the Commission dated October 15, 1965, that: --

> "We are very much interested in obtaining a class 1½ rate for caskets being shipped by common carriers in Colorado. The casket manufacturers in Colorado are faced with a very tough price situation from

> from Eastern manufacturers who ship by REA* or in their own trucks at a lower cost than we can ship within the state at a class 200 rate.
>
> "The damage we have experienced on shipments is very low as the majority of our caskets are packed in solid wood containers, shipments in the Wast move mostly in plywood or cardboard containers. Our caskets will weigh about 75 pounds per casket more in boxes than those in plywood.
>
> "Our business is a very competitive price business and we fear that if the class 200 rate is maintained, we will either have to deliver by our own truck or lose considerable business."

*LCL denotes less-than-carload lots
REA denotes REA Express

Since the foregoing rates and provisions appear to represent just, fair and reasonable rates and charges an order should be entered prescribing the said changes under the provisions of Rule 18, Paragraph C-(1), (a) of the Rules of Procedure an order is required following the protest deadline (ten days prior to the proposed effective date).

ORDER

THE COMMISSION ORDERS, that: --

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

2. The rates, rules, regulations as set forth in the statement and findings hereof shall be the prescribed rates, rules, regulations and provisions of the Commission.

3. All motor vehicle common carriers who are affected by the changes prescribed herein shall publish or cause to be published tariffs reflecting the changes prescribed herein.

4. 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.

5. On and after November 19, 1965, all affected motor vehicle common carriers shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein prescribed, provided that call and demand motor vehicle common carriers shall be subject to the penalty rule of twenty (20) per cent.

6. On and after November 19, 1965, all private carriers by motor vehicle operating in competition with any motor vehicle common carrier affected by this order shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed, provided that Class "B" private carriers shall be subject to the penalty rule of twenty (20) per cent.

7. 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.

8. 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.

9. This order shall become effective forthwith.

10. Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado
this 12th day of November.
1965

Commissioners

(Decision No. 66249)

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, 730 EQUITABLE BUILDING, DENVER, COLORADO, FOR PERMISSION TO WITHDRAW THE RESIDENT AGENT AT VILAS, BACA COUNTY, COLORADO.

APPLICATION NO. 21085

November 12, 1965

Appearances: Peter J. Crouse, Esq., Denver, Colorado, for Applicant;
Homer Havens, Vilas, Colorado, as his interest may appear;
John L. McNeill, Denver, Colorado, for the Staff of the Commission.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-styled application, applicant herein seeks permission from the Commission to withdraw the resident agent at Vilas, Baca County, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Mr. E. O. Chaddock, La Junta, Colorado, appeared and testified that he is the Trainmaster for the Applicant on the Colorado Division of the railroad and as such supervises train yards and stations within the Division which includes Vilas, Colorado. He stated that the Vilas Station is on the Manter District of the Middle Division of

the Atchison, Topeka and Santa Fe Railway Company. It is approximately 10 miles east of Springfield, Colorado. The line is not on the Main Line of the railroad. He testified that Vilas is an unincorporated community with a population of approximately 107 people and that the business establishments located there consist of two grain elevators, several grocery stores, a dinette, a hardware store and two filling stations as he recalls. The Resident Agent at Vilas supervises the receipt of incoming L.C.L. shipments only. He stated that a box car without undercarriage is located at the Vilas Station and that L.C.L. shipments for Vilas, Colorado are deposited in the box car. The Resident Agent, Homer Havens, notifies customers in Vilas of the arrival of L.C.L. shipments and in some cases, delivers the shipments to the customers for a small additional compensation. Mr. Chaddock testified that Mr. Havens has nothing to do with incoming or outgoing carload shipments.

Mr. Chaddock further explained that if the Resident Agent is removed, there will be no substantial change in the basic service offered to customers at Vilas of L.C.L. shipments. He stated that arrangements have been made to retain the box car and that train crews will continue to deposit L.C.L. shipments in this box car which will be locked. Arrangements will be made with certain of the customers in Vilas to retain a key to the box car in order that they may take possession of shipments directed to them.

Mr. Chaddock identified Applicant's Exhibit A as a map showing the approximate location of Vilas, Colorado; Exhibit B as a record of L.C.L. traffic at Vilas, Colorado during 1962, 1963, 1964 and the first three months of 1965; and Exhibit C consisting of five pages which reflects the revenues and expenses of the Applicant with regard to its operations at Vilas, Colorado for the years 1962, 1963,1964 and the first three months of 1965 together with a statement showing the ratio of railroad operating expenses to the total operating revenues.

Mr. Chaddock, as an example taken from the above-described exhibits, stated that during the year 1962 the total L.C.L. revenue at Vilas, Colorado was $143.54 while the direct expenses of operating as related to said shipments is $405.79. He also stated as noted from the exhibits that the volume of L.C.L. shipments at Vilas, Colorado is minimal, and in his opinion, both on the basis of economics and good business practice, does not justify the further retention of the Resident Agent.

Mr. Chaddock explained that the original intention of the railroad in making its application was to request approval to completely abandon any L.C.L. delivery at Vilas, Colorado and to make delivery of such shipments either to Walsh, Colorado, which is approximately 10 miles east from Vilas or to Springfield, Colorado, which is also approximately 10 miles west from Vilas. It is noted that open stations are maintained by the Applicant at both Walsh, Colorado and Springfield, Colorado. The railroad, however, has now reversed its position in this regard and proposes to maintain the station at Vilas, Colorado in the manner heretofore described. In this way, there will be no substantial change in the service offered to L.C.L. customers of the railroad at Vilas, Colorado. He stated that a number of these customers when they received L.C.L. shipments usually picked them up from the box car station in any case.

Mr. Chaddock also explained with relationship to the Resident Agent notifying consignees of L.C.L. shipments that such notification would be handled by the agents of the railroad at either Walsh or Springfield, Colorado, and the notification would be just as expeditious as the notification such customers are now receiving.

Homer Havens, Vilas, Colorado, testified that for a number of years he has been the Resident Agent for the railroad at Vilas, Colorado and in this capacity is responsible for the L.C.L. shipments arriving for customers at Vilas, Colorado. He stated that upon re-

ceiving of such shipments he notifies the consignee, and in some cases, delivers the shipments to the consignees for a small additional compensation.

He testified further that he is also the Administrator of the hospital at Walsh, Colorado in which position he is generally employed from approximately eight o'clock in the morning until seven o'clock in the evening daily. He stated that as a rule his duties as Resident Agent for the railroad at Vilas take approximately 12 hours a month and that he made delivery of only those parcels which he could deliver in his personal automobile. Several of the regular L.C.L. consignees who receive large parcels pick them up at the box car station themselves.

Mr. Havens also explained that the first of the year he applied for retirement from the railroad but because of his other employment, which he intended to retain, he would not be eligible to receive the retirement benefits until such time as he resigned his other employment as Administrator of the hospital at Walsh, Colorado. Mr. Havens did not take a strong position with respect to the application except to state that if the application is granted and the box car station at Vilas is retained for the purpose of depositing L.C.L. shipments therein, some one person in Vilas should be responsible for the key and that such person should be compensated.

Mrs. Winona Fife, Vilas, Colorado, testified that she is the operator of the hardware store located at Vilas. She stated that she receives approximately three L.C.L. shipments through the Vilas station per month and that she was satisfied with the arrangements now proposed by the railroad, to-wit: that L.C.L. shipments would continue to be deposited in the box car station at Vilas and that arrangements would be made for consignees to have a key for the purpose of securing their shipments from the box car station. She added that the present Resident Agent Mr. Havens on occasion left the key to the station with her in order for her to pick up L.C.L.

shipments directed to her, and therefore, so far as she was concerned, the removal of the Resident Agent at Vilas, Colorado, would not involve any substantial change in the service she is receiving from the railroad.

Mr. Tony Havens, Vilas, Colorado, stated he owns and operates Tony's Market and receives approximately two L.C.L. shipments per month. He testified that he is the brother of Homer Havens and that the purpose of his appearance on behalf of Homer Havens was merely to advise the Commission that he felt it would be best to retain the Resident Agent at Vilas, Colorado.

On cross examination, Mr. Tony Havens stated a large percentage of the shipments to his market are by truck and perhaps the arrangements proposed by the railroad, would not cause any substantial change in the service he is now receiving from the railroad with respect to his two shipments per month.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record, exhibits and files and the written statement of the Examiner herein states and finds that the prepay station at Vilas, Colorado has been supervised by a Resident Agent, namely, Homer Havens; that approximately 12 hours per month are expended by the Resident Agent in this railroad work, which is in addition to other non-railroad employment which he has at the nearby Town of Walsh; that his only duties have consisted of supervising the box car station at Vilas, Colorado, for the purpose of notifying consignees of L.C.L. shipments arriving at the point and delivering some of the shipments for a small additional compensation; that because of the small volume of L.C.L. shipments arriving at Vilas, it is economically not feasible for applicant to maintain a Resident Agent at Vilas; that the applicant has made arrangements, in the event this application is approved, to continue depositing L.C.L.

shipments at the box car station and furnishing a key to that station to consignees usually receiving such L.C.L. shipments; that no substantial protest was presented on behalf of protestants in view of the arrangements proposed by the railroad; that the granting of the permission to withdraw the Resident Agent at Vilas, Baca County, Colorado, would be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That the Applicant, The Atchison, Topeka and Santa Fe Railway Company, be, and hereby is, granted permission to withdraw the Resident Agent at Vilas, Baca County, Colorado, on the conditions:

(a) That L.C.L. shipments continue to be removed from the train at Vilas, Colorado, and deposited in a locked box-car station or other shelter.

(b) That the Santa Fe Railway make appropriate arrangements permitting consignees at Vilas, Colorado, to have access to a station key for the purpose of receiving their L.C.L. shipments.

That the Commission shall retain jurisdiction in this matter, to make such further Order or Orders as may be required.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 12th day of November, 1965.

et

(Decision No. 66250)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF NYLEM PRODUCTS, INCORPORATED, U. S. 12, BRIDGMAN, MICHIGAN.	PERMIT NO. M-2646

November 12, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 29, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard L. Bijelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 12th day of November 1965.

hc

(Decision No. 66251)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF GEORGE E. WEST, P. O. BOX 34, GUFFEY, COLORADO.	PERMIT NO. M-5139

November 12, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 23, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard L. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 12th day of November 196 5.

hc

(Decision No. 66252)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF LEONARD B. COLE, (DECEASED), DOING BUSINESS AS, "L. B. COLE, P. O. BOX 345, ALAMOSA, COLORADO.	PERMIT NO. M-6472

November 12, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 15, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Arvel S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 12th day of November 196 5.

hc

(Decision No. 66253)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF VERNON L. TOMKINS, DOING BUSINESS AS "QUICK-WAY MESSENGER SERVICE," 1335 DELAWARE STREET, DENVER, COLORADO.

PUC NO. 3515, PUC NO.3515-I

November 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

A written request from the above carrier has been received for a waiver from the Commission of its Rule relating to the filing of cash, or a surety bond, concerning C.O.D. shipments.

Upon full consideration of the matter the Commission states and finds that to grant the request will not be in the public interest and should be denied.

O R D E R

THE COMMISSION ORDERS:

That the request above referred to 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 15th day of November, 1965

et

(Decision No. 66254)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF RUDOLPH A. QUINTANA, P. O. BOX 420, CAPULIN, COLORADO, FOR AUTHORITY TO OPERATE AS A CLASS "B" PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21025-PP
SUPPLEMENTAL ORDER

November 15, 1965

Appearances: Rudolph A. Quintana, Capulin, Colorado, pro se;
Elizabeth A. Conour, Esq., Del Norte, Colorado, for Gibson Truck Line.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 9, 1965, the Commission entered its Decision No. 64852 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. 64852, viz., has failed to file tariff.

The Commission states and finds that inasmuch as applicant has not fulfilled requirements set forth in Decision No. 64852, operating rights granted thereby should be revoked, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Rudolph A. Quintana, Capulin, Colorado, by Decision No. 64852, of date April 9, 1965, be, and the same hereby are, revoked, for failure of applicant to comply with requirements set forth in said Decision No. 64852.

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 November, 1965.

et

(Decision No. 66255)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF GEORGE W. ISAACSON, STRATTON, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21252-PP
SUPPLEMENTAL ORDER

November 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 9, 1965, the Commission entered its Decision No. 65345 in the above-styled application, granting to applicant herein the right to operate as a private carrier by motor vehicle for hire.

Said applicant has failed to comply with requirements set forth in said Decision No. 65345, viz., has failed to file tariff, and customer list, and insurance was cancelled as of July 9, 1965.

The Commission states and finds that inasmuch as applicant has not fulfilled requirements set forth in Decision No. 65345, operating rights granted thereby should be revoked, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That operating rights granted to George W. Isaacson, Stratton, Colorado, by Decision No. 65345, of date July 9, 1965, be, and the same hereby are, revoked, for failure of applicant to comply with requirements set forth in said Decision No. 65345.

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 November, 1965

(Decision No. 66256)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF LARRY MILES, 502 HANNA STREET, FORT COLLINS, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21056-PP
SUPPLEMENTAL ORDER

November 15, 1965

Appearances: Larry Miles, Fort Collins, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 12, 1965, the Commission entered its Decision No. 65000 in the above-styled application, granting to applicant herein the right to operate as a private carrier by motor vehicle for hire.

Said applicant has failed to comply with requirements set forth in said Decision No. 65000, viz., has failed to file tariff, and insurance was cancelled as of August 15, 1965.

The Commission states and finds that inasmuch as applicant has not fulfilled requirements set forth in Decision No. 65000, operating rights granted thereby should be revoked, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Larry Miles, Fort Collins, Colorado, by Decision No. 65000, of date May 12, 1965, be, and the same hereby are, revoked, for failure of applicant to comply with requirements set forth in said Decision No. 65000.

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 November, 1965

et

(Decision No. 66257)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF LOUIS D. SIMONS, GENERAL DELIVERY, STRATTON, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21253-PP
SUPPLEMENTAL ORDER

November 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 9, 1965, the Commission entered its Decision No. 65346 in the above-styled application, granting to applicant herein the right to operate as a private carrier by motor vehicle for hire.

Said applicant has failed to comply with requirements set forth in said Decision No. 65346, viz., has failed to file tariff, and customer list, and insurance was cancelled as of July 9, 1965.

The Commission states and finds that inasmuch as applicant has not fulfilled requirements set forth in Decision No. 65346, operating rights granted thereby should be revoked, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Louis D. Simons, Stratton, Colorado, by Decision No. 65346, of date July 9, 1965, be, and the same hereby are, revoked, for failure of applicant to comply with requirements set forth in said Decision No. 65346.

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 November, 1965

(Decision No. 66258)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRANK E. SMITH, 10TH AND TOLEDO,)
BOX 74, SIDNEY, NEBRASKA, FOR A CLASS) APPLICATION NO. 21487-PP
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

November 15, 1965

Appearances: Frank E. Smith, Sidney, Nebraska, 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.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation services; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of 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 Frank E. Smith, Sidney, Nebraska, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 150 miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of 150 miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of 150 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 150 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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

That this Order is the permit herein provided for, but it shall not become effective until Applicant has filed 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 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 15th day of November, 1965.

(Decision No. 66259)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ROBERT G. PAXTON, 139 FORDHAM CIRCLE, PUEBLO, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-6324.

APPLICATION NO. 21567-PP-EXTENSION

November 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicant herein is presently the owner and operator of Permit No. B-6324, being the right to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

> potatoes, in truck-load lots, between Blanca and Alamosa, Colorado, and Pueblo, Colorado Springs, and Denver, Colorado, and points within a radius of ten miles of each, for Simeone Brothers Potato Company, Inc., of Denver, Colorado.

By the above-styled application, said permit-holder seeks authority to extend operations under Permit No. B-6324.

Said application was regularly set for hearing before the Commission, and an Examiner was duly designated to conduct hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of the Examiner states that at the time and place designated for hearing, Applicant failed to appear, either in person or by representative. Thereupon, there being no protestants present, the files were made a part of the record and the matter was taken under advisement.

Report of the Examiner further states that from the files and other inquiry, it appears that Applicant has ample and suitable equipment, sufficient net worth and operating experience with which

to conduct his proposed extended operation.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed extended transportation services; that Applicant will have sufficient equipment and experience to properly carry on said proposed extended operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that Applicant's proposed extended operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; and 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 Robert G. Paxton, Pueblo, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-6324, to include the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 200 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 200 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 200 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 200 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to

be, and be, a PERMIT 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 15th day of November, 1965.

et

(Decision No. 66260)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JAMES VIOLA AND ROY VIOLA, DOING BUSINESS AS "VIOLA BROS. SAWMILL," P. O. BOX 66, FLORENCE, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21503-PP

November 15, 1965

Appearances: James Viola, Florence, Colorado, for Applicants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicants herein seek authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, James Viola, a co-partner of applicant partnership herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that they have ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicants' proposed transportation services; that Applicants will have sufficient equipment and experience to properly carry on the proposed operation; that Applicants' financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of 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 James Viola and Roy Viola, doing business as "Viola Bros. Sawmill," Florence, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles and timber products, from forests to sawmills, places of storage, and loading points within a radius of 50 miles of said forests; rough lumber, from sawmills in said 50-mile radius to markets in the State of Colorado, with no town-to-town service, and this ORDER shall be deemed to be, and be, 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 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 15th day of November, 1965

et

(Decision No. 66261)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF SOUTHEAST COLORADO POWER ASSOCIATION, A COLORADO CORPORATION, 901 WEST THIRD STREET, LA JUNTA, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO FURNISH ELECTRICAL FACILITIES, PLANTS, OR SYSTEMS, OR EXTENSIONS THEREOF, TO FURNISH ELECTRICAL SERVICE FOR LIGHT, HEAT, POWER, AND OTHER PURPOSES, TO PERSONS, CUSTOMERS, CONSUMERS, AND ORGANIZATIONS LIVING AND LOCATED IN THE COUNTIES OF BACA, CHEYENNE, EL PASO, KIOWA, LAS ANIMAS, AND LINCOLN, STATE OF COLORADO.	APPLICATION NO. 19814
IN THE MATTER OF THE APPLICATION OF SOUTHEAST COLORADO POWER ASSOCIATION A COLORADO CORPORATION, 901 WEST THIRD STREET, LA JUNTA, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO FURNISH ELECTRIC SERVICE FOR LIGHT, HEAT, POWER AND OTHER PURPOSES, IN THE TERRITORY DESCRIBED, LOCATED IN BACA, BENT, PROWERS, OTERO, CHEYENNE, KIOWA, LAS ANIMAS, PUEBLO, EL PASO, CROWLEY, AND LINCOLN COUNTIES, STATE OF COLORADO.	APPLICATION NO. 19362
SOUTHEAST COLORADO POWER ASSOCIATION, a Colorado Corporation, 901 West Third Street, La Junta, Colorado, Complainant, vs. SOUTHERN COLORADO POWER COMPANY, Pueblo, Colorado; CITY OF LAMAR, Lamar, Colorado; TOWN OF HOLLY, Holly, Colorado; CITY OF LA JUNTA, La Junta, Colorado; WHEATLAND ELECTRIC ASSOCIATION, Scott City, Kansas; PIONEER ELECTRIC ASSOCIATION, Ulysses, Kansas; TRI-COUNTY ELECTRIC COOP, Hooker, Oklahoma; Respondents.	CASE NO. 5253

IN THE MATTER OF THE APPLICATION OF THE CITY OF LA JUNTA, A MUNICIPAL CORPORATION UNDER THE LAWS OF THE STATE OF COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO RENDER ELECTRIC SERVICE IN CERTAIN AREAS OF OTERO COUNTY, COLORADO.	APPLICATION NO. 20090
IN THE MATTER OF THE APPLICATION OF THE CITY OF LAMAR, COLORADO, A MUNICIPAL CORPORATION UNDER THE LAWS OF THE STATE OF COLORADO, FOR AN ORDER AUTHORIZING EXTENSION OF ITS PRESENT CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 20118-Extension
IN THE MATTER OF THE APPLICATION OF THE TOWN OF SPRINGFIELD, COLORADO, A MUNICIPAL CORPORATION LOCATED AT SPRINGFIELD, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, TO FURNISH ELECTRIC SERVICE FOR LIGHT, HEAT, POWER, AND OTHER PURPOSES, IN TERRITORY LOCATED IN BACA COUNTY, STATE OF COLORADO.	APPLICATION NO. 20188-Amended
IN THE MATTER OF THE APPLICATION OF THE CITY OF LAS ANIMAS, LAS ANIMAS, COLORADO, A MUNICIPAL CORPORATION, UNDER THE LAWS OF THE STATE OF COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO RENDER ELECTRIC SERVICE IN CERTAIN AREAS IN BENT COUNTY, COLORADO.	APPLICATION NO. 20267

November 12, 1965

SUPPLEMENTAL ORDER

Appearances: Carl Shinn, Esq., Lamar, Colorado, and
John P. Thompson, Esq., Denver, Colorado, for Southeast Colorado Power Association;
Christian K. Johnson, Esq., Lamar, Colorado, and
John R. Barry, Esq., Denver, Colorado, for the City of Lamar;
John R. Stewart, Esq., La Junta, Colorado, and
John R. Barry, Esq., Denver, Colorado, for the City of La Junta;
John R. Barry, Esq., Denver, Colorado, for the Town of Holly;

Fred E. Sisk, Esq., Las Animas, Colorado, and
Joseph F. Nigro, Esq., Denver, Colorado, for the City of Las Animas;
Harry S. Petersen, Esq., Pueblo, Colorado, for Western Power and Gas Company;
Howard M. Schmidt, Esq., Springfield, Colorado, for the Town of Springfield;
Robert T. James, Esq., Colorado Springs, Colorado, for Mountain View Electric Association;
J. M. McNulty, Denver, Colorado,
E. R. Thompson, Denver, Colorado, and
Paul M. Brown, Denver, Colorado, of the Staff of the Commission.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On October 18, 1965 the Commission entered its Decision No. 66075 in the above matters, Chairman Henry E. Zarlengo dissenting.

On November 4, 1965 Petition for Rehearing was filed with the Commission by the City of Lamar and the Town of Holly, jointly, by John R. Barry and Harlan Johnson, Attorneys, for the City of Lamar and John R. Barry, Attorney, for the Town of Holly. On November 5, 1965 Petition for Rehearing was filed with the Commission by Southern Colorado Power Company, Division of Western Power & Gas Co., Inc. (Southern) by Petersen, Evensen and Mattoon, Attorneys.

The Commission has reviewed the evidence adduced at the hearing on said matters and has carefully considered the Petitions for Rehearing filed herein and each and every allegation thereof, and is of the opinion and finds that said Petition of the City of Lamar and the Town of Holly should be set down for rehearing with respect to paragraphs numbered 7 and 10 in said Petition for Rehearing, and in all other respects the said Petition should be denied.

Further, with respect to the Petition for Rehearing of Southern, the matter should be set down for rehearing with respect to paragraphs numbered 11, 12, 16, 19 and 21 of the Petition for Rehearing and in all other respects the said Petition should be denied.

O R D E R

THE COMMISSION ORDERS:

That Petition for Rehearing filed with the Commission by the City of Lamar and the Town of Holly, and the Petition for Rehearing filed by Southern be, and the same hereby are, granted with respect to the specific paragraphs of each of said Petitions enumerated in the foregoing Statement and Findings.

That the above matters be, and the same hereby are, set for rehearing at 10:00 o'clock A.M. on January 5th and 6th, 1966 at State Services Building, Denver, Colorado, without further notice.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

CHAIRMAN HENRY E. ZARLENGO DISSENTING:

I respectfully dissent. The reasons for this dissent are basically set out in dissents in Decisions Nos. 62229, 62653, 63326, 64569 and 65162. The facts and the regulatory principles involved are basically the same.

The Petitions for Rehearing should be granted in toto.

Chairman

Dated at Denver, Colorado,
this 12th day of November, 1965.

et

(Decision No. 66262)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JACOB MEDINA, 1038 PENNSYLVANIA AVENUE, WALSENBURG, COLORADO.) PERMIT NO. M-13035

November 17, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 12, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 17th day of November 1965.

hc

(Decision No. 66263)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
HERBERT SCHLAUGER, 2535 F ½ ROAD,) PERMIT NO. M-3741
GRAND JUNCTION, COLORADO.)

November 17, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 15, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 17th day of November 196 5.

hc

(Decision No. 66264)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
LAWRENCE L. LYNN, 1324 RUSHMORE) PERMIT NO. M-6400
DRIVE, COLORADO SPRINGS, COLORADO.)

November 17, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 15, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard L. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 17th day of November 1965.

hc

(Decision No. 66265)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
ROBERT E. KELLY, DOING BUSINESS AS,) PERMIT NO. M-13906
"SUPERIOR ENGINE AND LAWNMOWER SERVICE",)
11810 WEST COLFAX AVENUE, LAKEWOOD,)
COLORADO. - - - - - - - - - - - - - - -

- - - - - - - - - -
November 17, 1965
- - - - - - - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 10, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 17th day of November 1965.

hc

(Decision No. 66266)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ELZIE RAY SLOAN, SR. 2895 WEST ILIFF) PERMIT NO. M-14629
AVENUE, DENVER 19, COLORADO.)
)

November 17, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 6, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 17th day of November 1965.

hc

(Decision No.66267)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
HAROLD J. SJOSTROM (DECEASED), DOING) PERMIT NO. M-15526
BUSINESS AS, "LEE'S USED CARS",)
2238½ EAST 4TH, PUEBLO, COLORADO.)

November 17, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 20, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 17th day of November 1965.

hc

Decision No. 66268

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
LYLE BLANTON OF HEREFORD INC.)
437 East 1st)
Hereford, Texas)
)
)
-)

AUTHORITY NO. M 5395

CASE NO. 2872 Ins.

- - - - - - - - - - - - - - -

November 16, 1965

- - - - - - - - - - - - - - -

S T A T E M E N T

By the Commission:

On November 4, 1965, 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. Zarlengo
Harold D. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 16th day of November, 1965

bb

ing copy

Decision No. 66269

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
GALYEN MOTOR COMPANY INC.)
Atkinson, Nebraska)
)
)
)
-)

AUTHORITY NO. M 15981

CASE NO. 2914 Ins.

- - - - - - - - - - - - - - - -
November 16, 1965
- - - - - - - - - - - - - - - -

S T A T E M E N T

By the Commission:

On November 4, 1965, 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. Zarlengo
Harold D. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 16th day of November, 1965

bb

(Decision No.66270)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Robert Washburn)
Winona, Kansas) PUC NO. 5647-I
)
)
- -

November 16, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 5, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Edward J. Bjelland

Ralph C. Hardin

Commissioners

Dated at Denver, Colorado,
this 16th day of November 196 5.
et

(Decision No. 66271)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF MAX E. FIRKINS, ROUTE 1 BOX 366, BROOMFIELD, COLORADO.	PERMIT NO. M-11411

November 18, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 25, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 18th day of November 196 5.

hc

(Decision No. 66272)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ROBERT WASHBURN, WINONA, KANSAS.) PERMIT NO. M-6499
)

November 18, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 5, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 18th day of November 1965.

hc

(Decision No. 66273)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
HAROLD L. SHAPLAND, DOING BUSINESS AS,) PERMIT NO. M-15168
"D AND H AUCTION", 5280 EAST 67TH)
AVENUE, DERBY, COLORADO.)

November 18, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 5, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 18th day of November 1965.

hc

(Decision No. 66274)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF M. J. PETERSON, ROBERT CORKLE AND GEORGE CORKLE, JR., DOING BUSINESS AS, "COUNTY WIDE HANDY DAN ICE", P. O. BOX 236, WALDEN, COLORADO. — PERMIT NO. M-15558

November 18, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 7, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard L. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 18th day of November 1965.

hc

(Decision No. 66275)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
DON M. PARKER AND JAMES C. STAFFORD,) PERMIT NO. M-4781
DOING BUSINESS AS, "SPEE-D SERVICE",)
3450 WEST 68TH PLACE, DENVER, COLO-)
RADO. - - - - - - - - - - - - - - - - -

- - - - - - - - - -
November 18, 1965
- - - - - - - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 11, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard L. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 18th day of November 196 5.

hc

(Decision No. 66276)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
RONALD L. DEIBERT, 1430 SOUTH TEJON STREET, DENVER, COLORADO.) PERMIT NO. M-150
)

November 18, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 16, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 18th day of November 196 5.

hc

(Decision No. 66277)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF AURORA MOVING & STORAGE CO., INC., 1475 LIMA STREET, AURORA, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AUTHORIZING EXTENSION OF OPERATIONS UNDER PUC NO. 2241.

APPLICATION NO. 19105-Extension-AMENDED

November 17, 1965

Appearances: David R. Calvert, Esq., Aurora, Colorado, for Applicant;
Joseph F. Nigro, Esq., Denver, Colorado, special appearance for Lind Moving & Storage Company, Inc., Berkeley Moving & Storage Company; Murdock Moving and Storage Company; general appearance for Colorado Transfer & Warehousemen's Association; Mullis Transfer; K. P. Moving and Storage, Inc., and G. I. Express Company;
Truman Stockton, Esq., Denver, Colorado, for Merritt Packing and Crating Service.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicant herein seeks a certificate of public convenience and necessity, authorizing extension of operations under PUC No. 2741.

Said application was regularly set for hearing before the Commission, and an Examiner was duly designated to conduct the hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of the Examiner states that at the hearing Joseph F. Nigro, Esq., on behalf of the carriers for whom he made a special appearance, moved that this hearing be continued or vacated on the grounds that the common carriers for whom he is making a special appearance had received no notice of the within hearing; that he had

just been retained by them for the purpose of a special appearance; and that in order to provide these common carriers with sufficient time to adequately prepare for the presentation of evidence and protest to the within application, this hearing should be continued to a later date or vacated.

Mr. Truman Stockton, Esq., on behalf of the common carrier for whom he made a special appearance, joined in this motion.

Mr. David L. Calvert, Esq., for the Applicant, stated that he did not object to a continuance on the grounds stated.

It was further agreed and stipulated that Mr. Nigro and Mr. Stockton would enter their general appearance for the common carriers for whom they were making a special appearance for the purpose of a motion to continue and that notice of hearing at a subsequent date would be furnished only to those making a general and special appearance on this date.

The Commission states and finds that the motion should be granted, and that the instant matter should be continued to be later re-set for hearing before the Commission, with notice to only those parties entering their appearance in said matter on November 15, 1965.

O R D E R

THE COMMISSION ORDERS:

That Application No. 19105-Extension-Amended be, and the same hereby is, continued, to be re-set for hearing at a later date to be determined by the Commission, with notice to only those parties entering their appearance in said matter on November 15, 1965.

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 17th day of November, 1965.

(Decision No. 66278)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF MARCEL P. HURLIMAN, DOING BUSINESS AS "HURLIMAN TRUCKING," 8404 SOUTH EASTLAKE ROAD, PORTLAND, OREGON, FOR AUTHORITY TO TRANSFER INTERSTATE OPERATING RIGHTS TO HURLIMAN TRUCKING COMPANY, AN OREGON CORPORATION, 8265 NORTH BORTHWICK AVENUE, P. O. BOX 17204, PORTLAND, OREGON.

PUC NO. 6106-I-Transfer

November 18, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Marcel P. Hurliman, doing business as "Hurliman Trucking," Portland, Oregon, was granted a certificate of public convenience and necessity, PUC No. 6106-I, authorizing transportation:

> 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. 6106-I to Hurliman Trucking Company, an Oregon corporation, Portland, Oregon.

Inasmuch as the records and files of the Commission fail to disclose any reason why said transfer should not be authorized, the Commission states and 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 Marcel P. Hurliman, doing business as "Hurliman Trucking," Portland, Oregon, be, and hereby is, authorized to trans-

fer all right, title and interest in and to PUC No. 6106-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Hurliman Trucking Company, an Oregon corporation, Portland, Oregon, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, and subject to encumbrances, if any, against said certificate approved by this Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 18th day of November, 1965

et

(Decision No.66279)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF CARTWRIGHT, INC., 4250 24TH AVENUE WEST, SEATTLE, WASHINGTON.

PUC NO. 6286-I

November 18, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission is in receipt of a communication from the above-styled certificate-holder requesting authority to change the corporate name from Sunvan Lines, Inc. to Cartwright, Inc. in the conduct of operations under PUC No. 6286-I.

The Commission states and 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. 6286-I to be owned and operated by:

"Cartwright, Inc.
4250 24th Avenue West
Seattle, Washington,"

in lieu of:

"Sunvan Lines, Inc."

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 November, 1965.

et

(Decision No. 66280)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CASIMIRO ALVIDREZ, DOING BUSINESS AS)
"CEDAR CANON COAL COMPANY," ROUTE 1,) PERMIT NO. B-5704
FLORENCE, COLORADO.)

November 18, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission is in receipt of a communication from the Attorneys for the above-styled carrier requesting that Casimiro Alvidrez be authorized to do business under the trade name and style: "Cedar Canon Coal Company," in lieu of: "Black Knight Coal Company," in the conduct of operations under Permit No. B-5704.

The Commission states and 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 Permit No. B-5604 to be owned and operated by:

"Casimiro Alvidrez,
doing business as
'Cedar Canon Coal Company,'"

in lieu of:

"Casimiro Alvidrez,
doing business as
'Black Knight Coal 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 18th day of November, 1965

et

(Decision No. 66281)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF CONTINENTAL BUS SYSTEM, INC. (ROCKY MOUNTAIN LINES DIVISION), 2450 CURTIS STREET, DENVER, COLORADO, AND CLINTON K. HARDENBROOK, DOING BUSINESS AS "WILDERNESS TRANSIT COMPANY," CRAIG, COLORADO, FOR APPROVAL OF OPERATING AND INTERCHANGE AGREEMENT.

APPLICATION NO. 21594

November 18, 1965

Appearances: John R. Barry, Esq., Denver, Colorado, for Applicants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

A motion was made by the Applicant to dismiss the application on the grounds that one of the parties to the Agreement, to-wit: Clinton K. Hardenbrook, doing business as "Wilderness Transit Company," cannot fulfill its obligations under the Agreement.

The Commission finds that to grant the motion is compatible with the public interest and the motion should be granted.

O R D E R

THE COMMISSION ORDERS:

That Application No. 21594 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 18th day of November, 1965.

et

(Decision No. 66282)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF WILLIAM L. ROBINSON, DOING BUSINESS AS "BILL'S SNOW TAXI," 2126 NORTH FIRST STREET, GRAND JUNCTION, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AUTHORIZING EXTENSION OF OPERATIONS UNDER PUC NO. 6154.

APPLICATION NO. 21559-Extension

November 18, 1965

Appearances: Anthony W. Williams, Esq., Grand Junction, Colorado, for the Applicant;
Harold L. Lesh, Glenwood Springs, Colorado, for Glenwood Aspen Stage Lines and Little Percent Taxi;
Charles J. Traylor, Esq., Grand Junction, Colorado, for Yellow Cab Company;
Sterling Bittle, Grand Junction, Colorado, for Continental Trailways, Inc.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-styled application, applicant herein seeks a certificate of public convenience and necessity, authorizing extension of operations under PUC No. 6154.

Said application was regularly set for hearing before the Commission, and an Examiner was duly designated to conduct hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of the Examiner states that at the hearing Mr. Anthony W. Williams, Attorney for the applicant, moved that the instant application be dismissed.

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

said motion should be granted and that the instant application should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That Application No. 21559-Extension 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 18th day of November, 1965.

et

(Decision No. 66283)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
D. R. McCOURT, 440 CRAGMORE, DENVER,)
COLORADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 21507-PP
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

November 18, 1965

Appearances: D. R. McCourt, Denver, Colorado, pro se;
John H. Lewis, Esq., Denver, Colorado, for Colorado Cartage Company;
Joseph F. Nigro, Esq., Denver, Colorado, for Acme Delivery Service, Inc.;
Vernon L. Tomkins, Denver, Colorado, for Quick-Way Messenger Service.

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 baggage and express, to and from Southwestern Greyhound and Continental Trailways Bus Depots, in the City and County of Denver, State of Colorado, restricted to the use of one-ton capacity vehicle, with the maximum weight of any piece being 150 pounds.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, the Applicant, D. R. McCourt, Denver, Colorado, testified that he had an agreement with officials of the Southwestern Greyhound and Continental Trailways Bus Depots for the transportation of baggage and express items from and to each of the bus depots. He stated that he has had approximately 15 years experience in this particular type of transportation; that, in the past, he has been in charge of baggage rooms at the Greyhound Depot; and that approximately 75 to 100 items of baggage and express must be transferred each day from one depot to the other. He explained that the two depots are approximately two blocks apart, and if the within application is granted, it will be only over this two block route that any transportation activity will be engaged in by him. He stated that in the past this transportation need of the bus depot has been handled by Jack L. Welborn, who operated under a private carrier permit from the Public Utilities Commission; however, he has terminated this service and thereupon the Applicant applied for and secured temporary authority to provide this transportation service pending a hearing on the within application. Mr. McCourt stated he is therefore providing this transportation need at the present time.

This witness also stated that the bus depots require transportation service for baggage and express items between the bus depots on a 24-hour basis; that such service has never, so far as he recalls, been contracted to a common carrier but has always been done by a private carrier who is also usually an employee of one of the bus depots. Mr. McCourt stated that he is a ticket clerk at the Greyhound Bus Depot and has been an employee there for approximately 15 years. Mr. McCourt stated that he has dufficient and adequate equipment to provide for this service and is financially able to effectively operate under the proposed authority if the within application is granted.

On cross-examination, Mr. McCourt emphasized that the transportation which he proposes to engage in if the within application is granted, involves only transportation of baggage and express items to and from the bus depots indicated in the application; that he does not intend to nor does his application propose delivery of baggage or express items to any other point in the City and County of Denver or elsewhere.

Upon conclusion of the Applicant's testimony, John H. Lewis, on behalf of Colorado Cartage and Joseph F. Nigro on behalf of Acme Delivery Service, Inc., withdrew as protestants.

Vernon L. Tomkins testified that he is the owner and operator of Quickway Messenger Service; that his company operates under PUC No. 3515 and I; that it provides 24-hour day, seven days a week messenger service; and that he has sufficient equipment, personnel and experience to fully and completely accommodate the needs of Southwestern Greyhound and Continental Trailways Bus Depots in the transportation of baggage and express items between those two depots. He stated that for this reason he is appearing in protest to the within application but added that at no time, as far as he recalls, has his company ever performed the transportation proposed in the within application.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that there is a special need for Applicant's proposed transportation services; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation, which is specialized in nature, will impair the

efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; and 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 D. R. McCourt, Denver, Colorado be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of baggage and express to and from Southwestern Greyhound and Continental Trailways Bus Depots only, in the City and County of Denver, State of Colorado, restricted to the use of a one-ton capacity vehicle with a maximum weight of any piece being 150 pounds; and this ORDER shall be deemed to be, and be, 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 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 18th day of November, 1965.

pt

(Decision No. 66284)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF GAS FACILITIES, INC. FOR AUTHORITY TO ISSUE SECURITIES	)	APPLICATION NO. 21638 Securities

November 17, 1965

S T A T E M E N T

BY THE COMMISSION:

Upon consideration of the application filed on November 15, 1965 by Gas Facilities, Inc., a corporation, in the above styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on November 30, 1965, at 9:00 o'clock A. M., 532 State Services Building, Denver, Colorado, respecting 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 November 24, 1965, 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 17th day of November, 1965.

(Decision No.66285)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

In the Matter of the Petition of WESTERN POWER & GAS COMPANY, Inc., a corporation, for Authority to Issue up to 54,460 Shares of its Common Stock of the Par Value of $5 per share.	APPLICATION NO. 21643 Securities

November 17, 1965

S T A T E M E N T

BY THE COMMISSION:

Upon consideration of the application filed November 16, 1965, by Western Power & Gas Company, Inc., a corporation, in the above styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on November 30, 1965, at 2:00 o'clock P. M., 532 State Services Building, Denver, Colorado, respecting 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 November 24, 1965, 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 intervenors.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 17th day of November, 1965.

Commissioners

ring copy

Decision No. 66286

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
CUSTOM CRAFT MANUFACTURING CORPORATION)
P.O. Box 151)
Halls, Tennessee 38040)
)
)
-)

AUTHORITY NO. M 1845

CASE NO. _____

- - - - - - - - - - - - - - - -
November 18, 1965
- - - - - - - - - - - - - - - -

S T A T E M E N T

By the Commission:

On November 4, 1965, 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. Zarlengo

Howard S. Bjelland

Ralph C. Hoshall

Commissioners

Dated at Denver, Colorado,
this 18th day of November, 1965

bb

Original

(Decision No. 66287)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE FREIGHT, ALL KINDS, IN CONTAINERS, BETWEEN POINTS WITHIN THE STATE OF COLORADO	Investigation and Suspension Docket No. 556

November 18, 1965

STATEMENT AND FINDINGS

BY THE COMMISSION:

On October 25, 1965, the Colorado Motor Carriers' Association, Agent, filed Motor Freight Tariff No. 18, Colorado PUC No. 16, naming local and joint rates and charges for the transportation of freight, all kinds, in containers between points within the State of Colorado. The schedule is published to become effective November 25, 1965.

Upon consideration of the said schedule and the protest of the Colorado Transfer and Warehousemen, more particularly the following, - Weicker Transfer and Storage Company, Duffy Moving and Storage Company, U. S. Transfer and Storage Company and other members of the association similarly situated, the proposed rates and charges may, if permitted to become effective, result in violations of the Public Utilities Law. It is the opinion of the Commission that said schedules should be suspended and an investigation instituted into and concerning the lawfulness of the rates and charges contained therein.

ORDER

THE COMMISSION ORDERS, THAT, --

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

2. It shall enter upon a hearing concerning the lawfulness of the rates and charges as published in Colorado Motor Carriers' Association, Agent, Motor Freight Tariff No. 18, Colorado PUC No. 16, scheduled to become effective November 25, 1965.

3. The operation of said schedules be, and it is hereby suspended and the use thereof deferred to and including March 25, 1966, unless otherwise ordered by the Commission.

4. The investigation in this proceeding shall not be confined to the matters and issues hereinbefore stated for instituting this investigation, but shall include all matters and issues with respect to the lawfulness of said schedules under the Public Utilities Law.

5. 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.

6. A copy of this order shall be filed with the schedules in the office of the Commission and that a copy hereof be served upon J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, and that said parties to this tariff be, and they are hereby, made respondents to this proceeding. The necessary suspension supplement shall be issued, filed and posted to the schedule referred to herein.

7. This Investigation and Suspension Docket No. 556 be, and the same hereby is, set for hearing before the Commission on the 30th day of November, 1965 at 10:00 o'clock a.m., in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado 80203.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado
this 18th day of November
1965.

(Decision No. 66288)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF EDDIE WILSON AND PAUL SILVERS, DOING BUSINESS AS "SILVERS & WILSON TRUCK SERVICE," 402 NORTH 3RD STREET, ROCKY FORD, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 1025 AND PUC NO. 1025-I TO EDDIE WILSON, DOING BUSINESS AS "WILSON TRUCK SERVICE," GARDEN PLACE, ROCKY FORD, COLORADO.

APPLICATION NO. 21551-Transfer

November 19, 1965

Appearances: Cover Mendenhall, Esq., Rocky Ford, Colorado, for Applicants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Eddie Wilson and Paul Silvers, doing business as "Silvers & Wilson Truck Service," Rocky Ford, Colorado, were granted a certificate of public convenience and necessity, PUC No. 1025 and PUC No. 1025-I, authorizing operation as a common carrier by motor vehicle for hire, for:

> Transportation of freight within the City of Las Animas, and agricultural products, including livestock, within a radius of fifteen (15) miles east and west and fifty (50) miles north and south from and to the City of Las Animas. It is further ordered that the applicant shall not operate on regular schedule in the territory described above. Conduct of a transfer, moving and general cartage business in the Counties of Bent, Otero, Pueblo, Crowley, Las Animas, Kiowa, Prowers, and Baca, and for occasional service throughout the State of Colorado, and in each of the counties thereof, subject to the terms and conditions hereinafter stated: 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 (20%) 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 establish a branch office or to have an agent employed in any other town or city than Rocky Ford for the purpose of developing business. Au-

thority cancelled to operate as a common carrier at any time between the City of Las Animas and the City of Pueblo. Between all points in Colorado and the Colorado state boundary lines where all highways cross same in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

By the above-styled application, said certificate-holders seek authority to transfer PUC No. 1025 and PUC No. 1025-I to Eddie Wilson, doing business as "Wilson Truck Service," Rocky Ford, Colorado, said Paul Silvers being desirous of withdrawing from said partnership.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Eddie Wilson, Rocky Ford, Colorado, testified as to an agreement dated October 1, 1964 filed with the application by which he entered into an agreement with Paul Silvers, also one of the transferors, to purchase the interest of Paul Silvers in PUC No. 1025 and I for the sum of $4,000.00. He stated that he and Mr. Silvers owned 50% interest in this authority and did business in Rocky Ford, Colorado, as the "Silvers and Wilson Truck Service," 402 North 3rd Street, Rocky Ford, Colorado. He stated that Mr. Silvers was desirous of retiring from business because of ill health and that Mr. Wilson desired to purchase the 50% interest of Mr. Silvers and continue to own PUC No. 1025 and I and do business under the trade name of "Wilson Truck Service," Garden Place, Rocky Ford, Colorado. Mr. Wilson also testified that with the application there was filed a financial statement which substantially sets forth his net worth at the present time. He stated that he also owns adequate equipment to continue operations under PUC No. 1025 and I. Mr. Wilson stated that it was the agreement between

he and Mr. Silvers that the $4,000.00 consideration would be paid and consummated upon approval of the within transfer by the Public Utilities Commission. He further stated he has had considerable experience in the transportation business and knows the rules, regulations and laws of the State of Colorado pertaining to common carriers and will carefully observe the same.

Mr. Paul Silvers, one of the transferors, confirmed the testimony previously offered by Mr. Wilson and added that there are no outstanding indebtedness attributable to him as transferor and that on the effective date of the transfer, there will be no outstanding indebtedness against his interest in PUC No. 1025 and I and the transportation service conducted under the trade name of "Silvers and Wilson Truck Service."

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that transferee will have sufficient equipment and experience to properly carry on the operation; that transferee's financial standing is established to the satisfaction of the Commission; and 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 Eddie Wilson and Paul Silvers, doing business as "Silvers & Wilson Truck Service," Rocky Ford, Colorado be, and hereby are, authorized to transfer all right, title and interest in and to PUC No. 1025 and PUC No. 1025-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Eddie Wilson, doing business as "Wilson Truck Service,"

Rocky Ford, Colorado, said Paul Silvers being hereby authorized to withdraw from said partnership.

That transfer of operating rights herein authorized is subject to encumbrances, if any, against said certificate, approved by this Commission.

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

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificates have been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of 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 the 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 Applicant 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 19th day of November, 1965.

et

(Decision No. 66289)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF PAT O. BURNS, DOING BUSINESS AS "PAT'S COW & SHEEP TAXI," BOX 101, DOLORES, COLORADO.	))))	PUC NO. 1592 & PUC No. 1592-I

November 19, 1965

STATEMENT AND FINDINGS OF FACT

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: "Pat O. Burns, doing business as 'Pat's Cow & Sheep Taxi,'" in lieu of "Pat O. Burns," in the conduct of operations under PUC No. 1592 and PUC No. 1592-I.

The Commission states and 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.1592 and PUC No. 1592-I to be owned and operated by:

"Pat O. Burns,
doing business as
'Pat's Cow & Sheep Taxi,'"

in lieu of:

"Pat O. Burns."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 19th day of November, 1965.
et

(Decision No. 66290)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF HENRY C. BRANDT, 530 CLARK STREET, STERLING, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21581-PP

November 19, 1965

Appearances: Henry C. Brandt, Sterling, 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.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of the application, stating that if the authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed transportation services; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of 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 Henry C. Brandt, Sterling, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of natural fertilizer, from places of supply, from and to all points in Logan County; farm products, from farms to feed lots within Logan County, Colorado; and this ORDER shall be deemed to be, and be, 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 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 right of Applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 19th day of November, 1965.

et

(Decision No. 66291)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ROBERT G. SHEPHERD, WALDEN, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21531-PP

November 19, 1965

Appearances: Robert G. Shepherd, Walden, 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.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of 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 Robert G. Shepherd, Walden, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of livestock, hay and sacked grain, between points in Jackson County, Colorado, to and from points in Larimer County, in less than truckload lots; and this ORDER shall be deemed to be, and be, 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 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 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 19th day of November, 1965

et

(Decision No. 66292)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF BAZZEL TIPPS, BOX 733, RANGELY, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21516-PP

November 19, 1965

Appearances: Bazzel Tipps, Rangely, 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.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation services; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of 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 Bazzel Tipps, Rangely, 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 75 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 75 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 75 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 75 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT

therefor.

That operating rights herein granted shall be known as "Permit No. B-3891."

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 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 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 19th day of November, 1965

et

(Decision No. 66293)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF FRANK McCOWAN, JR., 3455 DEXTER STREET, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21602-PP

November 19, 1965

Appearances: Frank McCowan, Jr., 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. Applicant requests that in the event authority herein sought is granted, operating rights be known as "Permit No. B-6249," being the number of a permit formerly held by him.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of 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 Frank McCowan, Jr., 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 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 being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

That operating rights herein granted shall be known as "Permit No. B-6249."

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 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 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 19th day of November, 1965.

et

(Decision No. 66294)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF TABLE MOUNTAIN, INC., 2680 YOUNGFIELD STREET, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21600-PP

November 22, 1965

Appearances: Howard P. Bunger, 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.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Howard P. Bunger, President of the applicant corporation herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that the corporation has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of 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 Table Mountain, Inc., 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 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 being restricted against the use of tank vehicles; and this

ORDER shall be deemed to be, and be, 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 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 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 22nd day of November, 1965

et

(Decision No. 66295)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EDNA HAMMONTREE, 4045 WEST NEVADA,)
DENVER, COLORADO, FOR A CLASS "B") APPLICATION NO. 21578-PP
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

November 22, 1965

Appearances: Edna Hammontree, 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.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that she has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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

that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation services; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of 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 Edna Hammontree, 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 75 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 75 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 75 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 75 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, 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 statement of her customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

That right of Applicant to operate hereunder shall depend upon her 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 22nd day of November, 1965.

et

(Decision No. 66296)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JOHN H. BENALLO, 5723 FIELD STREET, ARVADA, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21541-PP

November 19, 1965

Appearances: John H. Benallo, Arvada, 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.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of 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 John H. Benallo, Arvada, 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 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 being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, 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 statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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 19th day of November, 1965.

et

(Decision No. 66297)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ELMER C. JONES AND WILLIAM C. JONES,)
DOING BUSINESS AS "E. C. JONES &)
SON," BOX 282, KREMMLING, COLORADO,) APPLICATION NO. 21565-PP
FOR A CLASS "B" PERMIT TO OPERATE AS)
A PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

November 19, 1965

Appearances: Elmer C. Jones, Kremmling, Colorado, for Applicants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicants herein seek authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Elmer C. Jones, a co-partner of the applicant partnership herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that the partnership has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of 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 Elmer C. Jones and William C. Jones, doing business as "E. C. Jones & Son," Kremmling, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles and timber products, from forests to sawmills, places of storage, and loading points within a radius of 75 miles of said forests; rough lumber, from sawmills in said 75-mile radius to markets in the State of Colorado, with no town-to-town service; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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

That this Order is the permit herein provided for, but it shall not become effective until Applicant has filed 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 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 19th day of November, 1965

(Decision No. 66298)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF HALL SAND & GRAVEL CO., A CORPORATION, P. O. BOX 688, LITTLETON, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21585-PP

November 19, 1965

Appearances: Howard Hall, Littleton, 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.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Howard Hall, Vice President of the applicant corporation herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that the corporation has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation services; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of 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 Hall Sand & Gravel Co., a corporation, Littleton, 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 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 being restricted against the use of tank vehicles; also, barnyard and natural fertilizer,

and ready-mixed concrete from supply points, to points within a radius of 50 miles of said supply points; coal, from mines and supply points, to points within a radius of 50 miles of said mines and supply points; and this ORDER shall be deemed to be, and be, 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 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 right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

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

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 19th day of November, 1965

(Decision No.66299)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

In the Matter of the Application of Kansas-Nebraska Natural Gas Company, Inc., for an Order Authorizing the Issue and Sale of Debentures.	APPLICATION NO.21648 Securities

November 18, 1965

S T A T E M E N T

BY THE COMMISSION:

Upon consideration of the application filed on November 17, 1965, by Kansas-Nebraska Natural Gas Company, Inc., a corporation, in the above styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on December 1, 1965, at 9:00 o'clock A. M., 532 State Services Building, Denver, Colorado, respecting 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 November 24, 1965, 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 intervenors.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 18th day of November, 1965.

(Decision No. 66300)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
R. W. ROGERS, P. O. BOX 493, SAGUACHE,) PERMIT NO. M-10821
COLORADO.)

- -

November 22, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 13, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 22nd day of November 1965.

hc

(Decision No. 66301)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF LESTER L. LUNSFORD, DOING BUSINESS AS, "IGNACIO FURNITURE", P. O. BOX 322, IGNACIO, COLORADO.

PERMIT NO. M-10530

November 22, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 6, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Hinkley

Commissioners

Dated at Denver, Colorado,
this 22nd day of November 1965.

hc

(Decision No. 66302)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
RALPH PETTINARI AND NORMAN TITUS,
24 EAST TAYLOR, COLORADO SPRINGS,
COLORADO.

PERMIT NO. M-7063

November 22, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 28, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 22nd day of November 196 5.

hc

(Decision No. 66303)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
G. C. FRIEDMAN, STAR ROUTE BOX 106 A, MORRISON, COLORADO.

PERMIT NO. M-618

November 22, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 18, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 22nd day of November 196 5.

hc

(Decision No. 66304)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

F & S SANITARY REMOVAL,
10005 Laredo, Aurora, Colorado;
AURORA AND EAST DENVER TRASH DISPOSAL,
447 Oswego, Aurora, Colorado;
AURORA REMOVAL,
1979 Florence, Aurora, Colorado;
and
AURORA ASH AND TRASH,
9900 East Alameda, Aurora, Colorado

Complainants,

vs.

D. R. HART,
P. O. Box 317,
Commerce City, Colorado,

Respondent.

CASE NO. 5274

November 18, 1965

Appearances: Martin P. Miller, Esq., Littleton, Colorado, for Complainants; Francis R. Salazar, Esq., Denver, Colorado, for Respondent.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 27, 1964, F & S Sanitary Removal, Aurora and East Denver Trash Disposal, Aurora Removal, and Aurora Ash and Trash, hereinafter referred to as Complainants, filed a Petition with the Commission, designated as a Petition for Cease and Desist Order, requesting the Commission, after hearing, to issue a Cease and Desist Order prohibiting D. R. Hart from engaging in specified activities. On April 24, 1964 D. R. Hart, hereinafter referred to as Respondent, filed an Answer to the said petition. During the course of the next eighteen months various amended petitions and further answers were filed and various orders were entered by the Commission dealing with setting the matters for hearing. The matter was finally beard by the Commis-

sion, after due and proper notice to all parties, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, on Thursday, November 18, 1965, at 9:00 o'clock A.M.

D. R. Hart is the owner and operator of certificate PUC No. 3995 authorizing:

> Transportation of refuse arising from the cleaning of ash pits and incinerators, and the transportation of trash and refuse in conjunction therewith, from points within a radius of one hundred and fifty miles of Fort Lupton, Colorado, excluding therefrom the City and County of Denver, Colorado, to points within said one hundred and fifty mile radius.

The Complainants herein, who operate trash and garbage removal systems in the City of Aurora, State of Colorado, have by their various petitions questioned the authority of the Respondent herein to render certain services.

Prior to the introduction of any testimony in this proceeding, Counsel for the Parties made opening statements and thereafter entered into a Stipulation for the consideration of the Commission. The Parties stipulated that the following proviso be inserted in the authority of the Respondent herein immediately after the City and County of Denver exclusion, the proposed proviso reading as follows:

> "and further excluding therefrom the City of Aurora, State of Colorado, as its legal boundaries are defined in the records of the Clerk of the City of Aurora, County of Arapahoe, State of Colorado, at 12:00 o'clock noon, on November 18, 1965."

Counsel further stipulated that upon the acceptance and approval of this additional exclusion Case No. 5274 be dismissed with prejudice.

We have considered the proposed stipulation and deem it proper and in the public interest that said stipulation be accepted and approved by this Commission and Case No. 5274 be dismissed with prejudice.

O R D E R

THE COMMISSION ORDERS:

1. That the stipulation above referred to is accepted and approved and that PUC No. 3995 be, and the same hereby is, amended to read as follows:

> "Transportation of refuse arising from the cleaning of ash pits and incinerators, and the transportation of trash and refuse in conjunction therewith, from points within a radius of one hundred and fifty miles of Fort Lupton, Colorado, excluding therefrom the City and County of Denver, Colorado, and further excluding therefrom the City of Aurora, State of Colorado, as its legal boundaries are defined in the records of the Clerk of the City of Aurora, County of Arapahoe, State of Colorado, at 12:00 o'clock noon, on November 18, 1965, to points within said one hundred and fifty mile radius.

and the Staff of the Commission is hereby authorized and directed to show such change upon the appropriate records of the Commission.

2. That Case No. 5274 should be, and hereby is, dismissed with prejudice.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

CHAIRMAN HENRY E. ZARLENGO NOT PARTICIPATING

Dated at Denver, Colorado,
this 18th day of November, 1965

et

(Decision No. 66305)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF SAN JUAN TOURS, INC., DOING BUSINESS AS "GLENWOOD-ASPEN STAGES," P. O. BOX 2378, COLORADO SPRINGS, COLORADO.

PUC NO. 1089

November 18, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

A written request from the above carrier has been received for a waiver from the Commission of its Rule 24 (a) of Rules and Regulations Governing Common Carriers by Motor Vehicle relating to the filing of cash, or a surety bond, concerning C.O.D. shipments.

Upon full consideration of the matter the Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That San Juan Tours, Inc., doing business as "Glenwood-Aspen Stages," Colorado Springs, Colorado, be, and hereby is, granted a written waiver of the provisions of Section (a) of Rule 24 of Rules and Regulations Governing Common 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 PUC No. 1089.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

CHAIRMAN HENRY E. ZARLENGO NOT PARTICIPATING.

Dated at Denver, Colorado,
this 18th day of November, 1965

et

(Decision No. 66306)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF FRESQUEZ LUMBER UNLOADING COMPANY, A COLORADO CORPORATION, 6467 WOLFF, ARVADA, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21137-PP
SUPPLEMENTAL ORDER

November 19, 1965

Appearances: Darrell Harrison, Esq., Denver, Colorado, for Applicant;
Joseph F. Nigro, Esq., Denver, Colorado, for Weicker Transfer & Storage Co. and Duffy Storage & Moving Co.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 28, 1965, the Commission entered its Decision No. 65307 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. 65307, viz., failed to file tariff and customer list.

The Commission states and finds that inasmuch as applicant has not fulfilled requirements set forth in Decision No. 65307, operating rights granted thereby should be revoked, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Fresquez Lumber Unloading Company, a Colorado Corporation, Arvada, Colorado, by Decision No.

65307, dated June 28, 1965, be, and the same hereby are, revoked, for failure of applicant to comply with requirements set forth in said Decision No. 65307.

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 19th day of November, 1965

et

(Decision No. 66307)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF SIDNEY E. BLANDFORD III AND THOMAS BOURKE, DOING BUSINESS AS "B & B EXCAVATING," 726 JOSEPHINE, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21219-PP
SUPPLEMENTAL ORDER

November 19, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 9, 1965, the Commission entered its Decision No. 65344 in the above-styled application, granting to applicants herein the right to operate as a Class "B" private carrier by motor vehicle for hire.

Said applicants have failed to comply with requirements set forth in Said Decision No. 65344, viz.,failed to file tariff.

The Commission states and finds that inasmuch as applicants have not fulfilled requirements set forth in Decision No.65344, operating rights granted thereby should be revoked, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Sidney E. Blandford III and Thomas Bourke, doing business as "B & B Excavating," Denver, Colorado, by Decision No. 65344, dated July 9, 1965, be, and the same hereby are, revoked, for failure of applicants to comply with requirements set forth in said Decision No. 65344.

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 19th day of November, 1965

et

(Decision No. 66308)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF LEROY SHOTWELL, 1920 SOUTH SHERIDAN, COLORADO SPRINGS, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21106-PP
SUPPLEMENTAL ORDER

November 19, 1965

Appearances: Leroy Shotwell, Colorado Springs, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 4, 1965, the Commission entered its Decision No. 65123 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. 65125, viz., failed to file tariff.

The Commission states and finds that inasmuch as applicant has not fulfilled requirements set forth in Decision No. 65125, operating rights granted thereby should be revoked, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Leroy Shotwell, Colorado Springs, Colorado, by Decision No. 65125, dated June 4, 1965, be, and the same hereby are, revoked, for failure of applicant to comply with requirements set forth in said Decision No. 65125.

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 19th day of November, 1965

(Decision No. 66309)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF WRIGHT MOTOR LINES, INC., P. O. BOX 672, ROCKY FORD, COLORADO.	PUC NO. 960, PUC NO. 960-I, PERMIT NO. A-455

November 19, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

A written request from the above carrier has been received for a waiver from the Commission of its Rule relating to the filing of cash, or a surety bond, concerning C.O.D. shipments.

Upon full consideration of the matter the Commission states and finds that to grant the request will not be in the public interest and should be denied.

O R D E R

THE COMMISSION ORDERS:

That the request above referred to 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 19th day of November, 1965

et

(Decision No. 66310)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF
H. J. JEFFRIES TRUCK LINE, INC.,
4720 SOUTH SHIELDS BOULEVARD,
OKLAHOMA CITY, OKLAHOMA.

PERMIT NO. B-752

November 19, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

A written request from the above carrier has been received for a waiver from the Commission of its Rule relating to the filing of cash, or a surety bond, concerning C.O.D. shipments.

Upon full consideration of the matter the Commission states and finds that to grant the request will not be in the public interest and should be denied.

O R D E R

THE COMMISSION ORDERS:

That the request above referred to 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 19th day of November, 1965

et

(Decision No. 66311)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF WARD TRANSPORT, INC., P. O. BOX 133, PUEBLO, COLORADO.

PUC NO. 1497 and PUC NO.1497-I

November 19, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

A written request from the above carrier has been received for a waiver from the Commission of its Rule relating to the filing of cash, or a surety bond, concerning C.O.D. shipments.

Upon full consideration of the matter the Commission states and finds that to grant the request will not be in the public interest and should be denied.

O R D E R

THE COMMISSION ORDERS:

That the request above referred to 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 19th day of November, 1965.

et

(Decision No. 66312)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF RYDER TANK LINE, A DIVISION OF RYDER TRUCK LINES, INC., P. O. BOX 8418, GREENSBORO, NORTH CAROLINA.	PUC NO. 3739-I

November 19, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission is in receipt of a communication from the above-styled certificate-holder, requesting authority to change its corporate name to Ryder Tank Line, a Division of Ryder Truck Lines, Inc., in lieu of Ryder Tank Line Inc. in the conduct of operations under PUC No. 3739-I.

The Commission states and 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. 3739-I to be owned and operated by:

"Ryder Tank Line, A Division
of Ryder Truck Lines, Inc.,"

in lieu of:

"Ryder Tank Line, Inc."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 19th day of November, 1965.
et

(Decision No. 66313)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ED H. BURGENER, BOX 96, LA PORTE,)
COLORADO, FOR AUTHORITY TO EXTEND) APPLICATION NO. 21577-PP-Extension
OPERATIONS UNDER PERMIT NO. B-3569.)

November 22, 1965

Appearances: Ed H. Burgener, La Porte, Colorado, pro se;
Paul Amen, Denver, Colorado, for Denver-Loveland Transportation, Inc.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicant herein is presently the owner and operator of Permit No. B-3569, being the right to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

> sand, gravel, and other road-surfacing materials from pits and supply points in the State of Colorado to road and building construction jobs, within a radius of 50 miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties;
>
> 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 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, including service in Boulder, Clear Creek and Gilpin Counties;
>
> quartz, lime rock, gypsum, and other materials used in making cement, from pits and supply points within a radius of 50 miles of Fort Collins, Colorado, to processing plants at Boettcher, Colorado.

By the above-styled application, said permit holder seeks authority to extend operations under Permit No. B-3569 to include the transportation of:

> quartz, lime rock and gypsum, from pits and supply points within a radius of fifty miles of Fort Collins, Colorado, to Great Western Sugar Company at Loveland and Windsor, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing Ed. H. Burgener, the applicant herein, moved to amend his application by excluding the commodity "gypsum" from the requested authority. Said motion, being restrictive in nature, was granted. Thereupon, Mr. Paul Amen, on behalf of Denver Loveland Transportation, Inc., withdrew his protest.

Report of the Examiner further states that applicant appeared and testified in support of his application as amended, stating if authority herein sought is granted, he will enter into special carriage contracts to provide needed and specialized service for certain shippers who have requested his proposed extended service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to render said service.

All motions granted by the Examiner are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant applicantion as amended; that there is a need for applicant's proposed extended transportation services; that applicant will have sufficient equipment and ex-

perience to properly carry on said proposed extended operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that applicant's proposed extended operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; and 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 Ed H. Burgener, La Porte, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-3569, to include the transportation of quartz and lime rock, from pits and supply points within a radius of 50 miles of Fort Collins, Colorado, to Great Western Sugar Company at Loveland and Windsor, Colorado; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

That this Order is made part of the permit granted to Applicant.

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 November, 1965.
et

(Decision No.66314)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ADOLPH ELLIS, GRAND VALLEY, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-6681.

APPLICATION NO. 21557-PP-Extension

November 22, 1965

Appearances: Adolph Ellis, Grand Valley, Colorado, pro se;
Lincoln D. Coyt, Esq., Grand Junction, Colorado, for Estes Trucking Company, Rifle, Colorado.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicant herein is presently the owner and operator of Permit No. B-6681, being the right to operate as a Class "B" private carrier by motor vehicle for hire.

By the above-styled application, said permit-holder seeks authority to extend operations under Permit No. B-6681 to include the transportation of:

> farm produce, excluding livestock, in a point to point operation, from fields to places of storage, markets and railroad loading points in a 20-mile radius of Grand Valley, Colorado; and unprocessed grain, from fields and places of storage in said 20-mile radius of Grand Valley, Colorado, to the Osborn Feed mill in Fruita, Colorado, for processing; restricted against return transportation of processed feed and grain.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Mr. Adolph Ellis, the Applicant herein, moved to amend his application by restricting the 20-mile radius of Grand Valley, Colorado, to exclude that area lying east of a north-south line through Rulison, Colorado. The amendment being restrictive in nature was granted and the application was considered as amended. Thereupon Mr. Lincoln D. Coyt, Attorney for Protestant Estes Trucking Company, withdrew its protest.

Report of the Examiner further states that Adolph Ellis testified that he is presently the owner and operates under Permit No. B-6681; that he filed the instant application on the request of approximately 35 customers who desired the specialized service and who were unable to secure the services of any common carrier for this transportation; that if the authority herein sought is granted, he will enter into special carriage contracts to provide needed and specialized service for these shippers who have requested his proposed service; that he has ample and suitable equipment, sufficient experience and finances to provide the extended service; and that, in his opinion, there is a special need for such service.

All motions granted by the Examiner are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application as amended; that there is a need for applicant's proposed extended transportation services; that applicant will have sufficient equipment and experience to properly carry on said proposed extended operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that applicant's proposed extended operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; and that the granting of the authority, as provided in the following Order, will be in the public interest, and such au-

thority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Adolph Ellis, Grand Valley, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-6681 to include the transportation of farm produce, excluding livestock, in a point to point operation, from fields to places of storage, markets and railroad loading points in a 20-mile radius of Grand Valley, Colorado, except that area east of a north-south line running through Rulison, Colorado; and unprocessed grain, from fields and places of storage in said 20-mile radius of Grand Valley, Colorado, as described above, to the Osborn Feed Mill in Fruita, Colorado, for processing; restricted against return transportation of processed feed and grain; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

That this Order is made part of the permit granted to Applicant.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
thie 22nd day of November, 1965.

et

(Decision No.66315)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ARVENE S. JOY, ROUTE 4, BOX 203 D, FORT COLLINS, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-4662.

APPLICATION NO. 21593-PP-Extension

November 22, 1965

Appearances: Arvene S. Joy, Fort Collins, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicant herein is presently the owner and operator of Permit No. B-4662, being the right to operate as a Class "B" private carrier by motor vehicle for hire.

By the above-styled application, said permit-holder seeks authority to extend operations under Permit No. B-4662, to include the transportation of:

> quartz, lime rock and gypsum, from pits and supply points within a radius of 50 miles of Fort Collins, Colorado, to Great Western Sugar Co., at Loveland and Windsor, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner fuly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage

contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed extended transportation services; that applicant will have sufficient equipment and experience to properly carry on said proposed extended operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that applicant's proposed extended operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; and 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 Arvene S. Joy, Fort Collins, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-4662 to include the transportation of quartz, lime rock and gypsum, from pits and supply points within a radius of 50 miles of Fort Collins, Colorado, to Great Western Sugar Company, at Loveland and Windsor, Colorado; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

That this Order is made part of the permit granted to Applicant.

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 November, 1965.

et

(Decision No. 66316)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ORSON H. ROLLINS, 598 STEEL STREET, CRAIG, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-4009.

APPLICATION NO. 21522-PP-Extension

November 22, 1965

Appearances: Orson H. Rollins, Craig, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicant herein is presently the owner and operator of Permit No. B-4009, being the right to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

> coal from the Colowyo coal mine at Axial, Colorado, to the tipple of the Colowyo Coal Company at Craig, Colorado, over State Highway 13;
>
> sand and gravel, from point to point within a radius of 50 miles of Craig, Colorado.

By the above-styled application, said permit-holder seeks authority to extend operations under Permit No. B-4009, to include the transportation of:

> sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 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; coal, from mines to points within 100 miles of Axial,

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of the application, stating if authority herein sought is granted, he will enter into special carriage contracts to provide needed and specialized service for certain shippers who have requested his proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to render said service.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed extended transportation services; that applicant will have sufficient equipment and experience to properly carry on said proposed extended operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that applicant's proposed extended operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; 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 Orson H. Rollins, Craig, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-4009, to include

the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 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 being restricted against the use of tank vehicles; also, coal, from mines to points within 100 miles of Axial; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

That this Order is made part of the permit granted to Applicant.

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 November, 1965.

et

(Decision No. 66317)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF W. R. LIGHT, 114 LAFAYETTE, MANITOU SPRINGS, COLORADO.) PERMIT NO. M-1227

November 22, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 7, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 22nd day of November 1965.

hc

(Decision No. 66318)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
M. H. PORTH, 1017 SOUTH 3RD, CANON CITY, COLORADO.

PERMIT NO. M-5802

November 22, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 1, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold S. Bjelland
Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 22nd day of November 196 5.

hc

(Decision No. 66319)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF MESA DISTRIBUTING COMPANY (CORPORATION), 410 NORTH COMMERCIAL, TRINIDAD, COLORADO. — PERMIT NO. M-7999

November 22, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 17, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Edward S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 22nd day of November 1965.

hc

(Decision No.66320)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF ROYCRAFT COACH COMPANY (CORPORATION), 117 FIRST STREET, CHESANING, MICHIGAN.

PERMIT NO. M-8597

November 22, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 18, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 22nd day of November 1965.

hc

(Decision No. 66321)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

DAVID W. DELAPLANE AND HELEN M. DELAPLANE,
109 3RD STREET,
GLENWOOD SPRINGS, COLORADO,
AND
ARAPCO ENTERPRISES, INC.,
145 COSTILLA,
LITTLETON, COLORADO,

COMPLAINANTS,

vs.

RICHARD CHATFIELD,
ROUTE 2,
GLENWOOD SPRINGS, COLORADO,

RESPONDENT.

CASE NO. 5310

November 22, 1965

Appearances: Harry E. Carleno, Esq., Englewood, Colorado, for Complainants;
Albert Kern, Esq., Aspen, Colorado, for Respondent;
Ray M. Wilson, Denver, Colorado, for Staff of the Commission.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The above-styled case was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, the parties stipulated that Paragraph (1) of the formal Complaint filed herein was true and correct and no additional evidence need be in-

troduced to support the allegations of that paragraph.

David W. Delaplane, Glenwood Springs, Colorado, testified that he is one of the Complainants herein. He stated that he had first met Richard Chatfield, the Respondent, early in 1964 and had hired him as Chief Pilot, and had leased Chatfield's airplane equipment for use in operating under the authority granted by the Public Utilities Commission to David W. Delaplane and Helen M. Delaplane, doing business as "Sky Ranch," Glenwood Springs, Colorado. Mr. Delaplane identified Exhibit No. 1 dated June 29, 1964 as the Lease of Aircraft Agreement made between Richard S. Chatfield and Sky Ranch Aviation of Glenwood Springs, Colorado, the holder of PUC authority.

This witness identified Exhibit No. 2 as a letter of July 14, 1964 to the Public Utilities Commission pertaining to this lease agreement.

He identified Exhibit No. 3 as a pamphlet issued by the Glenwood Springs Chamber of Commerce, Glenwood Springs, Colorado, which under the heading of air service describes the service provided by "Chatfield Charter."

He identified Exhibit No. 4 as an advertisement clipped from the Glenwood Springs Sage of May 20, 1965 pertaining to the Respondent Richard Chatfield. This purportedly advertised that the Respondent was a licensed and experienced mountain pilot and solicited business.

Exhibit No. 5 was identified by this witness and also by Witness Edward D. Webster, as a check given to Mr. Chatfield on July 28, 1965 in the amount of $35.00 for a charter flight for Edward D. Webster, Glenwood Springs, Colorado.

Exhibit No. 6 was identified as a telephone directory of eight cities, including Glenwood Springs, in which Respondent Chatfield's name appeared in both the white and yellow pages.

Exhibit No. 7 was identified as an operating certificate of Arapco Enterprises, Inc. issued by the Federal Aviation Agency.

Exhibit No. 8 was identified as a notice of cancellation of lease and aircraft equipment dated June 29, 1964 directed to the Respondent and to the Public Utilities Commission.

Exhibit No. 9 was identified as a folded card containing advertising material of Sky Ranch Aviation and furnishing the name of Dick Chatfield. This witness testified that this advertisement furnished the personal telephone number and that this material was found at various hotels and motels recently.

Exhibit No. 10 is a copy of a letter from Mr. Delaplane to the Public Utilities Commission referring to an application to transfer PUC authority for air service at Glenwood Springs, Colorado from the Delaplanes to the Respondent. This letter states that the Delaplanes are still the owners of said certificate and that an application has been filed requesting transfer of PUC authority from the Delaplanes to Arapco Enterprises, Inc. and that the purported application for transfer to the Respondent was never valid or effective.

Exhibit No. 11 was identified as a certified mail receipt which accompanied Exhibit No. 8, the notice of cancellation sent to the Respondent Richard Chatfield.

Exhibit No. 12 was identified by several witnesses as a letter from Chatfield to Mr. Ray Wilson of the Public Utilities Commission by which Mr. Chatfield stated that he is working under the PUC held by Betty Clark of Mile Hi Aviation. Mr. Delaplane testified that Arapco Enterprises, Inc., a Colorado corporation, now owns PUC authority to provide air service at Glenwood Springs, Colorado; that he and his wife maintain an interest in said real property at the Glenwood Springs Airport which has been leased to Arapco Enterprises, Inc.; and that the Respondent Richard Chatfield without possessing any Public Utilities Commission authority has

continued to provide air service from the Glenwood Springs Airport to various customers; that he has advertised in the local newspaper, in a publication by the Glenwood Springs Chamber of Commerce and by other means.

Bruce Isaacson stated that he is President and General Manager of Hot Springs Lodge and recalls that recently he took a flight with Richard Chatfield to Denver and return. Mr. Isaacson did not recall the date of the flight nor was he able to remember whether he paid any compensation to Mr. Chatfield for this flight.

John Susi, Glenwood Springs, Colorado, testified that he is an officer of Arapco Enterprises, Inc.; that he is Manager of the offices of this corporation at Glenwood Springs, Colorado; that he is Manager of Glenwood Springs Airport; and that he is appearing in support of the formal complaint filed in this matter. Mr. Susi stated since Arapco Enterprises, Inc. became the owner of the PUC authority to provide air service at Glenwood Springs, Colorado in April, 1965, he has personal knowledge that Respondent has provided air service from the Glenwood Springs Airport to customers on numerous occasions. He stated that approximately three weeks previous to the hearing, he personally observed the Respondent talking to Mr. Timbly regarding an air trip for hire. This witness also referred to Exhibit No. 4 a clipping from the Glenwood Springs newspaper showing advertisement on behalf of the Respondent Richard Chatfield. He stated that this advertisement had been in the paper many times since April, 1965.

Mr. Susi stated that Arapco Enterprises, Inc. had received an Order authorizing transfer of the authority to provide air service at Glenwood Springs, Colorado from the Delaplanes to Arapco Enterprises, Inc. on July 6, 1965 and that Arapco Enterprises, Inc. had been operating this authority since that time. He stated that since that time the Respondent Richard Chatfield has also been providing air service to customers from the Glenwood Springs Airport. Because

of Respondent's activities, Mr. Susi expressed the opinion that Arapco Enterprises, Inc. has lost considerable business since it has been operating under the PUC authority.

The Respondent Richard Chatfield was called as a witness by the Complainants. He testified that he had applied for PUC authority but that hearing thereon had not been set as yet. Mr. Chatfield also stated that on or about July 28, 1965 for the sum of $35.00, he had transported Edward D. Webster from Glenwood Springs, Colorado to Grand Junction and return. Mr. Chatfield also stated that he had placed various advertising in the local newspaper, and that, furthermore, the local phone directory contained advertising which he had contracted for pertaining to providing air service from Glenwood Springs, Colorado.

Edward D. Webster, Colorado Springs, Colorado, identified Exhibit No. 5 as a check in the amount of $35.00 which he had given to Richard Chatfield for a flight from Glenwood Springs, Colorado to Grand Junction and return. He stated that this transportation was on or about July 28, 1965. On cross examination, Mr. Webster stated that he is a friend of Mr. Delaplane's.

Mr. Floyd Diemaz, Glenwood Springs, Colorado, stated that he has in the past flown with Chatfield and that he recalls one flight just prior to July 4, 1965.

Joseph Holpart, Glenwood Springs, Colorado, testified that he is Managing Editor of the Glenwood Springs Sage, a local newspaper and identified certain advertising appearing in the newspaper since May 1965. He stated that this advertising was placed by the Respondent Richard Chatfield.

Betty Clark, Rifle, Colorado, testified that she owns PUC authority to provide air service from Rifle, Colorado. She stated that she has talked with the Respondent Richard Chatfield regarding an agreement for him to work for her but that the negotiations

between them have not progressed from this point.

Richard Chatfield testified that he had previously made arrangements with Mr. Delaplane to work for him as a pilot and also he leased his plane to the Delaplanes who were doing business in Glenwood Springs as Sky Ranch. He stated, however, that it was his understanding that these arrangements were temporary, pending a transfer of the PUC authority to him. He stated that, in fact, he and the Delaplanes signed certain papers indicating to him that a request for the transfer had been filed with the PUC. He had, so far as he knows, or is able to recall, never been notified that the situation had changed until such a time as Arapco Enterprises, Inc. took over the Delaplanes' operations at Glenwood Springs. He stated he has continued to provide for customers a flight service to various points in the State of Colorado; that, at the present time, he does not have PUC authority to provide air service from Glenwood Springs but that he does have a certificate from the Federal Aviation Agency entitling him to provide air taxi service.

Mr. Chatfield stated that at all times he was of the belief that his operations were legal and he also stated he has continued to advertise in local media as indicated by the previous testimony.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record, exhibits and files and the written statedment of the Examiner herein, states and finds that the Respondent, Richard Chatfield has provided air transportation to persons from Glenwood Springs, Colorado, to points within the State of Colorado during the past year; that on or about July 28, 1965, specifically, the Respondent received of one Edward D. Webster of Glenwood Springs, Colorado, the sum of $35.00 for a flight from Glenwood Springs to Grand Junction, Colorado and return; that at no time has the Respondent, Richard

Chatfield, had authority from this Commission to operate as a common carrier for hire for air transportation from Glenwood Springs, Colorado, to other points in the State of Colorado; that the Respondent, Richard Chatfield, is in violation of the statutes of the State of Colorado, namely, CRS 1963 115-1-3 and CRS 1963 115-5-2 for providing air transportation service to passengers from Glenwood Springs to other points within the State of Colorado and specifically to Edward D. Webster on or about July 28, 1965 for a charge of $35.00 from Glenwood Springs, Colorado to Grand Junction, Colorado and return without first having obtained from the Public Utilities Commission a certificate of public convenience and necessity; and that said Respondent, Richard Chatfield, should be ordered to cease and desist from conducting further transportation service to passengers for hire in intrastate commerce, by airplane, in the State of Colorado.

O R D E R

THE COMMISSION ORDERS:

That the Respondent Richard Chatfield be, and hereby is, ordered to forthwith cease, desist and refrain directly, or indirectly by acting through or in cooperation with any agents, employees, attorneys or other persons under his direction and control, from conducting any and further transportation service to passengers for hire in intrastate commerce by airplane in the State of Colorado, and in similar manner forthwith cease, desist and refrain from holding himself out, and advertising as a common carrier for the transportation of passengers by air for hire in intrastate commerce in the State of Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 22nd day of November, 1965

et

(Decision No. 66322)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

COMMODITY RATES ON PETROLEUM AND PETROLEUM PRODUCTS, IN BULK, IN TANK TRUCKS AND/OR TANK TRAILERS BY MOTOR VEHICLE	))))	CASE NO. 1585

November 22, 1965

STATEMENT

BY THE COMMISSION:

By our order in Decision No. 60391, dated March 28, 1963, rates and/or charges prescribed for the transportation of certain petroleum and petroleum products within the State of Colorado, were stricken from the order, as amended, in Case 1585, and declared of no further force and effect after April 11, 1963. Petitions for rehearing filed by various protestants were denied by the order in Decision No. 60568, dated April 25, 1963. On appeal to the Supreme Court of Colorado in Consolidated Freightways Corporation of Delaware v. The Public Utilities Commission of Colorado, decision dated October 4, 1965, the Supreme Court held "The judgment of the trial court is reversed and remanded with directions to enter a judgment setting aside and holding for naught decision No. 60391 of the Public Utilities Commission in Case No. 1585. The Commission should be further ordered to suspend the rates filed by Groendyke and Western Tank Truck Carriers' Conference, Inc., and enter an order reinstating the prescribed rates for common carriers and minimum rates for private carriers of petroleum and petroleum products in bulk and in tank trucks and/or trailers in Colorado; that the trial court further order the Commission to proceed to conduct hearings to determine the just and fair rates and appropriate orders prescribing the rates so found as those to be charged by common carriers and as the minimum rates for private carriers." The order,

judgment and decree of the District Court, City and County of Denver, Colorado, Civil Action B-62606, dated November 15, 1965, Judge Mitchell B. Johns, requires that the order of the Colorado Supreme Court be complied with forthwith.

It should be noted here that Western Tank Truck Carriers' Conference, Inc., Tariff No. C-3, Colo PUC No. 3 (Western Tank Truck Carriers' Conference C-3) was cancelled effective December 28, 1964. Rates, rules and regulations applicable to the participating carriers named therein became those published in Colorado Motor Carriers' Association, Agent, Motor Freight Tariff No. 7-A, Colo. PUC No. 12. Petroleum Transport Company cancelled its participation in WTCC Tariff C-3, effective April 21, 1963. Ruan Transport Corporation and Ward Transport, Inc., cancelled their participation in WTCC Tariff C-3, effective April 27, 1964. Individual tariffs were issued by each of these three companies. If the Public Utilities Law is to be complied with and an orderly result is to follow in the matter of rates, rules and regulations to be applicable to the transportation of petroleum and petroleum products here involved, we believe that the carriers must publish and file new tariffs. We will so find and order all motor vehicle carriers to publish and file new tariffs setting forth the rates, rules and regulations applicable to the transportation of petroleum and petroleum products in tank trucks and/or tank trailers, in Colorado intrastate commerce, in effect on March 28, 1963.

The petroleum and petroleum products with which we are here concerned, and as referred to herein, and in our findings and order, are those named in item 10 of Western Tank Truck Carriers' Conference, Inc., Agent, Tariff No. C-3, Colo. PUC No. 3 and item 20 of Colorado Motor Carriers' Association, Agent Tariff No. 7, Colo. PUC No. 8.

In compliance with the orders issued by the Colorado State Supreme and District Courts, we must find, and do find, that, --

1. Decision No. 60391, dated March 28, 1963, entered in Case No. 1585, should be vacated, set aside, and nullified.

2. An order should be entered reinstating and prescribing the rates, rules and regulations which were in effect immediately prior to the entry of the Commission's Decision No. 60391, to apply to the transportation of petroleum and petroleum products, in bulk, in tank trucks and/or tank trailers, when said commodities are moved by for-hire motor vehicle common carriers or motor vehicle private carriers within the State of Colorado, which said rates, rules and regulations shall be the exact rates for application by motor vehicle common carriers and shall be the minimum rates, rules and regulations for application by motor vehicle private carriers, and the said rates, rules and regulations, as so reinstated and prescribed, shall be and remain the rates, rules and regulations to be charged, assessed, demanded and collected by all motor vehicle common carriers transporting petroleum and petroleum products, in bulk, in tank trucks and/or tank trailers, in Colorado intrastate commerce, and said rates, rules and regulations shall be and remain the minimum rates, rules and regulations which shall be demanded, assessed, observed and collected by all motor vehicle private carriers engaged in the transportation of petroleum and petroleum products, in bulk, in tank trucks and/or tank trailers, in Colorado intrastate commerce until said rates, rules and regulations shall be changed in conformity with law and the Commission's Rules and Regulations.

3. It should be further ordered that any and all rates, rules and regulations applicable in connection with the transportation of petroleum and petroleum products, in bulk, in tank trucks and/or tank trailers, in Colorado intrastate commerce, and published in compliance with our order in Decision No. 65847 dated September 14, 1965, be cancelled, effective

January 1, 1966 upon not less than five days' notice to the Commission and the public as provided by law.

4. It should be further ordered that the rates, rules and regulations applicable in connection with the transportation of petroleum and petroleum products in bulk, in tank trucks and/or tank trailers, in Colorado intrastate commerce, and as heretofore prescribed and in effect March 28, 1963, shall be the maximum and minimum rates, rules and regulations of motor vehicle common carriers and the minimum rates, rules and regulations applicable to motor vehicle private carriers. All carriers concerned should publish and file said rates, rules and regulations with the Commission to be effective on January 1, 1966, upon not less than 5 days' notice to the Commission and the public as provided by law.

5. It should be further ordered that the general investigation instituted into and concerning the lawfulness of the rates, rules and regulations applicable to the transportation of petroleum and petroleum products, decision numbered 65801, dated September 14, 1965, and earlier decisions, be continued; and that except to the extent set forth herein nothing herein shall be interpreted as affecting the hearings, investigations and proceedings now going forward in connection with said rates, rules, and regulations.

ORDER

THE COMMISSION ORDERS, THAT, --

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

2. Decision No. 60391, dated March 28, 1963 be, and it hereby is, vacated, set aside, and nullified.

3. The rates, rules and regulations applicable to the transportation of petroleum and petroleum products, in tank trucks, and/or tank trailers in Colorado intrastate commerce, as heretofore prescribed and in effect March 28, 1963, shall be the prescribed rates, rules and regulations of the Commission.

4. All motor vehicle common carriers who are affected by the changes prescribed herein shall publish or cause to be published tariffs embodying the rates, rules and regulations set forth in ordering paragraph No. 3 herein, effective on January 1, 1966, on not less than five days' notice to the Commission and the general public as provided by law and the regulations of the Commission.

5. All private carriers by motor vehicle, to the extent they are affected by the changes prescribed herein, shall publish, or cause to be published rates, rules and regulations which shall not be less than those prescribed in ordering paragraph 3 herein, effective on January 1, 1966 on not less than five days' notice to the Commission and the general public as provided by law and the regulations of the Commission.

6. On and after January 1, 1966, all affected motor vehicle common carriers shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein prescribed.

7. On and after January 1, 1966, all affected private carriers by motor vehicle operating in competition with any motor vehicle common carrier affected by this order shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed.

8. This order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

9. The general investigation instituted into and concerning the lawfulness of the rates, rules and regulations applicable to the transportation of petroleum and petroleum products, decision numbered 65801, dated September 14, 1965 and earlier decisions, be continued; and that, except to the extent ordered herein, nothing herein shall be

interpreted as affecting the hearings, investigations and proceedings now going forward in connection with said rates, rules and regulations.

10. 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.

11. This order shall become effective forthwith.

12. Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado
this 22nd day of November,
1965.

ing copy

Decision No. 66323

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
JOHN BABB DBA)
JOHN BABB EXCAVATING COMPANY)
1314 North Yampa)
Craig, Colorado 81626)

AUTHORITY NO. M 3278

CASE NO. 2893 Ins.

November 23, 1965

S T A T E M E N T

By the Commission:

On November 4, 1965, 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. Zarlengo
Harold S. Bjelland
Ruth C. Horlow
Commissioners

Dated at Denver, Colorado,
this 23rd day of November, 1965

bb

(Decision No. 66324)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF PHILIP MIRCI, DOING BUSINESS AS "L & L DISPOSAL," 701 SOUTH CAROL, LAFAYETTE, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 4766 TO JOHN F. NEUHAUSER AND IMA J. NEUHAUSER, DOING BUSINESS AS "TOWN AND COUNTRY DISPOSAL, 1862 STILLWATER WAY, ROUTE 1, LAFAYETTE, COLORADO.	APPLICATION NO. 21603-Transfer

November 23, 1965

Appearances: R. Jerry Russell, Esq., Broomfield, Colorado, for Transferor and Transferee.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Philip Mirci, doing business as "L & L Disposal," Lafayette, Colorado, was granted a certificate of public convenience and necessity, PUC No. 4766, authorizing operation as a common carrier by motor vehicle for hire, for:

> Transportation of rubbish and trash within the City Limits of Lafayette, Colorado, and Louisville, Colorado, and to approved dumping grounds in the Lafayette, Colorado and Louisville, Colorado, areas. Extended to include the transportation of rubbish and trash within the city limits of Lafayette, Colorado and Louisville, Colorado, and within that area adjacent to said cities, described as follows: Commencing at the intersection of Colorado Highway No. 7, and Colorado Highway No. 1 (U. S. Highway No. 287); thence north on said Highway No. 1 to County Road No. 42 (Erie-Canfield Road); thence east on County Road No. 42 to County Road No. 109; thence south on County Road No. 109 to Colorado Highway No. 7; thence east on Highway No. 7 to the Boulder-Adams County Line; thence south on the Boulder-Adams County Line to Colorado Highway No. 170; thence west on Highway No. 170 to five-mile radius of the City of Boulder; thence north on the Boulder five-mile radius to Boulder County Road No. 60 (South Boulder Road); thence east on Road No. 60 to Colorado Highway No. 42; thence north on Highway No. 42 to Colorado Highway No. 7; thence east on Highway 7 to Colorado Highway No. 1 and the point of beginning; and also including that area within the Town of Erie, Weld County, Colorado.

By the above-styled application, said certificate-holder seeks authority to transfer PUC No. 4766 to John F. Neuhauser and Ima J. Neuhauser, doing business as "Town and Country Disposal," Lafayette, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Philip Mirci, the Transferor herein, appeared and testified in support of the application stating that the consideration for the transfer, together with certain equipment, is the sum of $12,000.00; and that there are no outstanding debts against said operation.

John F. Neuhauser, one of the transferees herein, also appeared and testified, stating that transferees at the present time own and operate PUC No. 5623; that they have ample and suitable equipment, sufficient net worth and operating experience to render and continue operations under PUC No. 4766 herein sought to be transferred.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that transferees will have sufficient equipment and experience to properly carry on the operation; that transferees' financial standing is established to the satisfaction of the Commission; 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 Philip Mirci, doing business as "L & L Disposal," Lafayette, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 4766 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to John F. Neuhauser and Ima J. Neuhauser, doing business as "Town and Country Disposal," Lafayette, Colorado, subject to encumbrances, if any, against said operation approved by this Commission.

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 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 23rd day of November, 1965.
et

(Decision No. 66325)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTO VEHICLE OPERATIONS OF JOHN F. NEUHAUSER AND IMA J. NEUHAUSER, DOING BUSINESS AS "TOWN AND COUNTRY DISPOSAL," 1862 STILLWATER WAY, ROUTE 1, LAFAYETTE, COLORADO.	PUC NO. 4766
RE MOTOR VEHICLE OPERATIONS OF JOHN F. NEUHAUSER AND IMA J. NEUHAUSER, DOING BUSINESS AS "J & I DISPOSAL," 1862 STILLWATER WAY, ROUTE 1, LAFAYETTE, COLORADO.	PUC NO. 5623

November 23, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The above-styled certificate-holders, owners of PUC No. 4766 and PUC No. 5623, herein seek authority to mortgage said operating rights to the First National Bank of Arvada, Colorado, to secure payment of the sum of Twenty-Three Thousand Dollars ($23,000.00), in accordance with the terms and conditions set forth in Note and Chattel Mortgage which by reference is made a part hereof.

The Commission states and finds that authority sought should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That John F. Neuhauser and Ima J. Neuhauser, doing business as "Town and Country Disposal," and "J & I Disposal," Lafayette, Colorado, be, and hereby are, authorized to mortgage all right, title, and interest in and to PUC No. 4766 and PUC No. 5623 to the First National Bank of Arvada, Colorado, to secure payment of the sum of $23,000.00, as set forth in the Statement preceding, which is made a part of this Order by reference.

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 November, 1965

(Decision No. 66326)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF JOHN IVERSEN, DOING BUSINESS AS, "IVERSEN BROTHERS", 9930 WEST 20TH AVENUE, DENVER 14, COLORADO.

PERMIT NO. M-4495

November 26, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 30, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 26th day of November 196 5.

hc

(Decision No. 66327)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
ALBERT R. SCHAEFFER, DOING BUSINESS AS, "AL SCHAEFFER SAND AND GRAVEL", 1291 EAST 3RD STREET, LOVELAND, COLORADO.

PERMIT NO. M-3522

November 26, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 13, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 26th day of November 196 5.

hc

(Decision No.66328)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF O. J. RAMEY, 401 MAIN, LYONS, COLORADO. — PERMIT NO. M-6461

November 26, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 18, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 26th day of November 196 5.

hc

(Decision No. 66329)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF CLAUD W. GARNER, JR., DOING BUSINESS AS "C. GARNER CONSTRACTOR", 527 20¼ ROAD, GRAND JUNCTION, COLORADO.

PERMIT NO. M-1938

November 26, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 17, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 26th day of November 1965.

hc

(Decision No. 66330)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF JOE FAZZI (DECEASED), DOING BUSINESS AS, "FAZZI CUSTOM PLANNING AND LUMBER SALES", P. O. BOX 33, SILT, COLORADO.

PERMIT NO. M-2309

November 26, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 23, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 26th day of November 1965.

hc

(Decision No. 66331)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF MARTIN K. VON DUYKE AND T. RICHARD VON DUYKE, DOING BUSINESS AS, "VON BROTHERS CONSTRUCTION COMPANY", 11005 RIDGE ROAD, WHEATRIDGE, COLORADO.

PERMIT NO. M-7340

November 26, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 29, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold L. Bjelland
Ruston C. Horton
Commissioners

Dated at Denver, Colorado,
this 26th day of November 1965.

hc

(Decision No. 66332)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
THOMAS J. CASEY AND GERTRUDE W. CASEY) PERMIT NO. M-9479
DOING BUSINESS AS, "BOULDER MOBILE)
RADIO CENTER", 1939 PEARL STREET,)
BOULDER, COLORADO. - - - - - - - - - -

- - - - - - - - -
November 26, 1965
- - - - - - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 26, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 26th day of November 1965.

hc

(Decision No 66333)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Allison Yates dba Yates Trucking Co.,)
Box 231) PUC No. 6034-I
Van Horn, Texas.)
)

November 24, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 14, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Arvid S. Bjelland

Ralph C. Hurlbut

Commissioners

Dated at Denver, Colorado,
this 24th day of November 1965
et

(Decision No. 66334)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
R. W. Rogers)
Box 493) PERMIT NO. B-6342
Saguache, Colo 81149)

November 24, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

September 13, 1965 until March 13, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Hubbard

Commissioners

Dated at Denver, Colorado,
this 24th day of November 1965
et

(Decision No. 66335)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Thomas I Hall)
2301 W. Lake) PERMIT NO. B-6716
Ft Collins, Colo. 80521)

November 24, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

November 18, 1965 until May 18, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 24th day of November 1965
et

(Decision No. 66336))

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Edward G. Leggett)
2239 King St.,) PERMIT NO. B-6426
Denver, Colo. 80211)

November 24, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

November 17, 1965 until May 17, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 24thday of November 196 5
et

(Decision No. 66337)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
William L. Robinson dba "Bill's Snow Taxi"
2126 No. 1st., Grand Junction, Colo

PUC NO. 6154

November 24, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

October 13, 1965 until April 13, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard L. Bjelland

Ralph C. Hardesty

Commissioners

Dated at Denver, Colorado,
this 24th day of November 1965

et

(Decision No. 66338)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF CHARLES R. GHILINO, DOING BUSINESS AS "RED'S TANK SERVICE," 416 EUCLID STREET, FORT MORGAN, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21605-PP

November 26, 1965

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.

Said application was regularly set for hearing before the Commission, and an Examiner was duly designated to conduct hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of the Examiner states that at the time and place designated for hearing, applicant failed to appear, either in person or by representative. Thereupon, there being no protestants present, the files were made a part of the record and the matter was taken under advisement.

Report of the Examiner further states that from the files and other inquiry, it appears that applicant has ample and suitable equipment, sufficient net worth and operating experience with which to conduct his proposed operation.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed transportation services;

that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of 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 R. Ghilino, doing business as "Red's Tank Service," Fort Morgan, 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 75 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 75 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 75 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 75 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, 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 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 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 November, 1965.

et

Decision No. 66339

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
ANDERSON ENTERPRISES INC.)
110 South Union)
Pueblo, Colorado)

AUTHORITY NO. M 12171

CASE NO. 3027 Ins.

November 26, 1965

S T A T E M E N T

By the Commission:

On November 19, 1965, 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. Zarlengo
Harold S. Bjelland
Ruston C. Horton
Commissioners

Dated at Denver, Colorado,
this 26th day of November, 1965

bb

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Decision No. 66340

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
PIONEER TRUCK LINES INC.)
c/o Colfax National Bank)
5901 East Colfax Avenue)
Denver, Colorado 80220)

AUTHORITY NO. PUC 616

CASE NO. 3022 Ins.

November 26, 1965

S T A T E M E N T

By the Commission:

On November 19, 1965, 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

Commissioners

Dated at Denver, Colorado,
this 26th day of November, 1965

bb

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Decision No. 66341

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
BULTMAN BUTANE AND EQUIPMENT COMPANY)
Elkhart, Kansas)
)
)
)
)

AUTHORITY NO. M 12714

CASE NO. 3061 Ins.

November 26, 1965

S T A T E M E N T

By the Commission:

On November 19, 1965, 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

Commissioners

Dated at Denver, Colorado,
this 26th day of November, 1965

bb

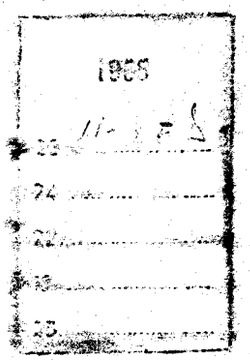
(Decision No. 66342)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
JACK M. HATTON, 2206 HOOKER STREET, DENVER 11, COLORADO.

PERMIT NO. M-6292



November 26, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 30, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 26th day of November 1965.

hc

(Decision No. 66343)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF WESTERN POWER & GAS COMPANY, INC., 115 WEST 2ND STREET, PUEBLO, COLORADO FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO EXERCISE FRANCHISE RIGHTS UNDER FRANCHISE GRANTED TO THE APPLICANT BY THE CITY COUNCIL OF THE CITY OF ROCKY FORD, IN OTERO COUNTY, COLORADO.

APPLICATION NO. 20385-Amended

November 29, 1965

Appearances: J. W. Preston, Esq., Pueblo, Colorado, for Applicant; Paul M. Brown, Denver, Colorado, for the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

Western Power & Gas Company on April 20, 1964 filed an application with this Commission for a Certificate of Public Convenience and Necessity to exercise franchise rights granted by the City Council of the City of Rocky Ford to supply electrical energy for illuminating, heating, power and other purposes in said city. On July 17, 1964 an amending application was filed. The matter was set for hearing, after due notice to all interested parties, on Friday, November 19, 1965 at 10:00 o'clock A.M. in the hearing room of the Commission, 532 State Services Building, Denver, Colorado, and was heard on a joint record with Application No. 20384.

Since the time of filing of the application and the amended application, Applicant, Western Power & Gas Company, has been merged with Western Light & Telephone Company, Inc., the surviving corporation being Western Power & Gas Company, Inc. Leave was requested of the Commission to substitute Western Power & Gas Company, Inc.

for the applicant in this application, which was granted.

Applicant is a Kansas corporation, qualified to do business within the State of Colorado. It is a public utility operating company subject to the jurisdiction of this Commission and is engaged primarily in the purchase, generation, transmission, distribution and sale of electric energy serving principally in the Counties of Teller, Fremont, Custer, Pueblo, Crowley, and Otero in Colorado.

A certified copy of Applicant's composite Certificate of Incorporation has heretofore been filed with this Commission.

Applicant showed that on March 17, 1964 the City Council of the City of Rocky Ford duly passed and adopted Ordinance No. 441 of the City of Rocky Ford, which franchise ordinance was introduced in evidence as Exhibit A and is entitled as follows:

> ORDINANCE NO. 441: AN ORDINANCE GRANTING TO WESTERN POWER & GAS COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT AND FRANCHISE TO FURNISH THE CITY OF ROCKY FORD AND ITS INHABITANTS, ELECTRICITY FOR ILLUMINATING, HEATING, POWER AND OTHER PURPOSES, AND TO ERECT AND MAINTAIN A PLANT AND SYSTEM THEREFOR, AND GRANTING A RIGHT OF WAY OVER, UPON, ALONG, UNDER AND ACROSS THE STREETS, ALLEYS AND PUBLIC PLACES OF SAID CITY FOR THE ERECTION OF POLES AND WIRES AND THE LAYING OF CONDUITS THEREFOR.

The term of said franchise is for a period of twenty-five (25) years.

Other exhibits introduced into evidence include a Certificate of Introduction, publication, passage and signature by the Mayor; Certificate of Recording by the City Clerk; and Acceptance of the Franchise by Applicant.

Witness for Applicant, Mr. E. H. Pemberton, General Sales Manager of Southern Colorado Power Division of Western Power & Gas Company, Inc., testified that Applicant obtains its electric energy for distribution from generating plants located at Pueblo, Canon City, Rocky Ford and Skaguay, all of which are interconnected through the transmission facilities of the Company. Existing facilities will be utilized in continuing said electric service. There is no other

public utility in the business of distributing electricity in the City of Rocky Ford. The population of the City of Rocky Ford is approximately 5,373 and Applicant serves 1,535 electrical customers in said city. The witness estimated that capital investment for additional facilities in the City of Rocky Ford during the term of the franchise will amount to approximately $1,200,000. This figure will be utilized in determining the amount of the certificate issuance fee, but will not be binding upon the Commission in any subsequent investigation where valuation may be an issue.

Applicant also seeks a Certificate of Public Convenience and Necessity to furnish electrical energy for light, power, heating and other purposes, if and as practicable, to the rural and suburban population and the enterprises along the route of its transmission lines and in the vicinity thereof in the territory surrounding the City of Rocky Ford and to extend Applicant's facilities, lines, plant or system in the territory surrounding the said City of Rocky Ford contiguous to said facilities, lines, plant or system.

The Staff contended that the certificate to be granted in this application should be limited to the exercise of the franchise rights granted by the City of Rocky Ford; that the Commission in its Decision No. 66075 dated October 18, 1965 allocated specific areas to be served by electric utilities operating within the area including the City of Rocky Ford and areas adjacent thereto and that the instant Decision should be concerned only with the granting of the Certificate of Public Convenience and Necessity to exercise franchise rights granted by the City of Rocky Ford. Decision No. 66075 also provided that "in all cases where the provisions of this Order may be in conflict with provisions of previous Orders of the Commission, the provisions of this Order shall be controlling."

Petition for Rehearing on the matters contained in the Commission's Decision No.66075 was granted to Applicant herein and

the Rehearing is to begin on January 5, 1966, limited to the matters specified in Decision No. 66261 of November 12, 1965. None of the matters on which rehearing has been granted are concerned with the area described herein.

F I N D I N G S

THE COMMISSION FINDS:

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

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

That the Commission is fully advised in the premises.

That the public convenience and necessity require and will require the exercise by Applicant of the franchise rights granted in and by Ordinance No. 441 of the City of Rocky Ford dated March 17, 1964 for illuminating, heating, power and other purposes in said city.

That Certificates of Public Convenience and Necessity to furnish electrical energy for light, power, heating and other purposes in areas surrounding the City of Rocky Ford and along the route of Applicant's transmission lines and in the vicinity thereof have been assigned as defined by the Commission in its Decision No. 66075, to Applicant and others.

That this portion of the application should be denied.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require and will require the exercise by Applicant of the franchise rights granted in and by Ordinance No. 441 of the City of Rocky Ford dated March 17, 1964 to supply electrical energy for light, heating, power and all other purposes by Applicant in said city and this Order shall be taken, deemed and held to be a Certificate of Public Convenience and Necessity therefor.

That Applicant's request for a Certificate of Public Convenience and Necessity to furnish electrical energy for light, power, heating and other purposes in areas surrounding the City of Rocky Ford and along the route of its transmission lines in the vicinity thereof, is denied.

That Applicant shall install, operate and maintain its electric system and supply electric service in the City of Rocky Ford in accordance with its schedules of rates, classifications, rules and regulations now on file with this Commission or as the same may be changed according to law in 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 and shall continue to keep its practices pursuant to the Rules Regulating the Service of Gas and Electric Utilities as adopted by this Commission.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

CHAIRMAN HENRY E. ZARLENGO NOT PARTICIPATING

Dated at Denver, Colorado,
this 29th day of November, 1965

et

(Decision No. 66344)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF WESTERN POWER & GAS COMPANY, INC., FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO EXERCISE RIGHTS UNDER A FRANCHISE GRANTED TO APPLICANT BY THE BOARD OF TRUSTEES OF THE TOWN OF FOWLER, IN OTERO COUNTY, COLORADO.

APPLICATION NO. 20384-Amended

November 29, 1965

Appearances: J. W. Preston, Esq., Pueblo, Colorado, for Applicant; Paul M. Brown, Denver, Colorado, for the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

Western Power & Gas Company on April 20, 1964 filed an application with this Commission for a Certificate of Public Convenience and Necessity to exercise franchise rights granted by the Board of Trustees of the Town of Fowler to supply electrical energy for illuminating, heating, power and other purposes in said town. On July 17, 1964 an amending application was filed. The matter was set for hearing, after due notice to all interested parties, on Friday, November 19, 1965 at 10:00 o'clock A.M. in the hearing room of the Commission, 532 State Services Building, Denver, Colorado, and was heard at said time and place. This application was heard on a joint record with Application No. 20385.

Since the time of filing of the application and the amended application, applicant, Western Power & Gas Company, has been merged with Western Light & Telephone Company, Inc., the surviving corporation being Western Power & Gas Company, Inc. Leave was requested of the Commission to substitute Western Power & Gas Company, Inc. for the applicant in this application, which was granted.

Applicant is a Kansas corporation, qualified to do business within the State of Colorado. It is a public utility operating company subject to the jurisdiction of this Commission and is engaged primarily in the purchase, generation, transmission, distribution and sale of electric energy serving principally in the Counties of Teller, Fremont, Custer, Pueblo, Crowley, and Otero in Colorado.

A certified copy of Applicant's composite Certificate of Incorporation has heretofore been filed with this Commission.

Applicant showed that on December 3, 1963 the Board of Trustees of the Town of Fowler duly passed and adopted Ordinance No. 230 of the Town of Fowler, which franchise ordinance was introduced in evidence as Exhibit A and is entitled as follows:

> ORDINANCE NO. 230: AN ORDINANCE GRANTING TO WESTERN POWER & GAS COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT AND FRANCHISE TO FURNISH THE TOWN OF FOWLER AND ITS INHABITANTS, ELECTRICITY FOR ILLUMINATING, HEATING, POWER AND OTHER PURPOSES, AND TO ERECT AND MAINTAIN A PLANT AND SYSTEM THEREFOR, AND GRANTING A RIGHT OF WAY OVER, UPON, ALONG, UNDER AND ACROSS THE STREETS, ALLEYS AND PUBLIC PLACES OF SAID TOWN FOR THE ERECTION OF POLES AND WIRES AND THE LAYING OF CONDUITS THEREFOR.

The term of said franchise is for a period of twenty-five (25) years.

Other exhibits introduced into evidence include a Certificate of Introduction, publication, passage and signature by the Mayor; Certificate of Recording by the Town Clerk; and Acceptance of the Franchise by Applicant.

Witness for Applicant, Mr. E. H. Pemberton, General Sales Manager of Southern Colorado Power Division of Western Power & Gas Company, Inc., testified that Applicant obtains its electric energy for distribution from generating plants located at Pueblo, Canon City, Rocky Ford and Skaguay, all of which are interconnected through the transmission facilities of the Company. Existing facilities will be utilized in continuing said electric service. There is no other public utility in the business of distributing electricity in the

Town of Fowler. The population of the Town of Fowler is approximately 1,837 and Applicant serves 525 electrical customers in said town. The witness estimated that capital investment for additional facilities in the Town of Fowler during the term of the franchise will amount to approximately $60,517. This figure will be utilized in determining the amount of the certificate issuance fee, but will not be binding upon the Commission in any subsequent investigation where valuation may be an issue.

Applicant also seeks a Certificate of Public Convenience and Necessity to furnish electrical energy for light, power, heating and other purposes, if and as practicable, to the rural and suburban population and the enterprises along the route of its transmission lines and in the vicinity thereof in the territory surrounding the Town of Fowler and to extend Applicant's facilities, lines, plant or system in the territory surrounding the said Town of Fowler contiguous to said facilities, lines, plant or system.

The Staff contended that the certificate to be granted in this application should be limited to the exercise of the franchise rights granted by the Town of Fowler; that the Commission in its Decision No. 66075 dated October 18, 1965 allocated specific areas to be served by electric utilities operating within the area including the Town of Fowler and areas adjacent thereto and that the instant Decision should be concerned only with the granting of the Certificate of Public Convenience and Necessity to exercise franchise rights granted by the Town of Fowler. Decision No. 66075 also provided that "in all cases where the provisions of this Order may be in conflict with provisions of previous Orders of the Commission, the provisions of this Order shall be controlling."

Petition for Rehearing on the matters contained in the Commission's Decision No. 66075 was granted to Applicant herein and the Rehearing is to begin on January 5, 1966, limited to the matters

specified in Decision No. 66261 of November 12, 1965. None of the matters on which rehearing has been granted are concerned with the area described herein.

F I N D I N G S

THE COMMISSION FINDS:

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

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

That the Commission is fully advised in the premises.

That the public convenience and necessity require and will require the exercise by Applicant of the franchise rights granted in and by Ordinance No. 230 of the Town of Fowler dated December 3, 1963 for illuminating, heating, power and other purposes in said town.

That Certificates of Public Convenience and Necessity to furnish electrical energy for light, power, heating and other purposes in areas surrounding the Town of Fowler and along the route of applicant's transmission lines and in the vicinity thereof, have been assigned as defined by the Commission in its Decision No. 66075, to Applicant and others.

That this portion of the Application should be denied.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require and will require the exercise by Applicant of the franchise rights granted in and by Ordinance No. 230 of the Town of Fowler dated December 3, 1963 to supply electrical energy for illuminating, heating, power and all other purposes by Applicant in said town and this Order shall be taken, deemed and held to be, a Certificate of Public Convenience and Necessity therefor.

That Applicant's request for a Certificate of Public convenience and Necessity to furnish electrical energy for light, power, heating and other purposes in areas surrounding the Town of Fowler and along the route of its transmission lines in the vicinity thereof, is denied.

That Applicant shall install, operate and maintain its electric system and supply electric service in the Town of Fowler in accordance with its schedules of rates, classifications, rules and regulations now on file with this Commission or as the same may be changed according to law in 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 and shall continue to keep its practices pursuant to the Rules Regulating the Service of Gas and Electric Utilities as adopted by this Commission.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

CHAIRMAN HENRY E. ZARLENGO NOT PARTICIPATING

Dated at Denver, Colorado,
this 29th day of November, 1965.

et

(Decision No. 66345)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JULIA K. SEIWALD, SPECIAL ADMINISTRATRIX OF THE ESTATE OF WILLIAM A. SEIWALD, DECEASED, 4315 UTICA STREET, DENVER, COLORADO, FOR REINSTATEMENT OF PERMIT NO. A-853, AND FOR AUTHORITY TO TRANSFER SAID OPERATING RIGHTS TO DEAN RESLER, DOING BUSINESS AS "RESLER TRUCK SERVICE," STERLING, COLORADO.

APPLICATION NO. 21048-PP-Transfer
ORDER OF CONTINUANCE

November 29, 1965

Appearances: Jacob H. Chisen, Esq., and Edward C. Hastings, Esq., Denver, Colorado, for Applicants;
Alvin J. Meiklejohn, Jr., Esq., Denver, Colorado, for Red Ball Motor Freight, Inc., North Eastern Motor Freight, Inc.;
John H. Lewis, Esq., Denver, Colorado, for Denver-Laramie-Walden Truck Line, Inc.; Colorado Cartage Company, Inc.;
John P. Thompson, Esq., Denver, Colorado, for Boulder-Denver Truck Line, Denver-Loveland Transportation, Inc., and Edson Express.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The above-styled application was set for hearing before the Commission on November 23, 1965, at the Hearing Room of the Commission. The record will show that such matter has been continued on one or two other occasions. At the time the matter was called for hearing the Presiding Commissioner stated that in his opinion the hearing date should be vacated and the matter continued until such time as the Commission entered a Decision in Case No. 5294. No serious objection to such procedure was raised by any of the Parties. The record should

further show that in Decision No. 65417 dated July 23, 1965, Julia K. Seiwald as Special Administratrix of the Estate of William A. Seiwald, deceased, was authorized to suspend operations under Permit No. A-853 until October 14, 1965. Considering the fact that the continuances in this transfer proceeding have not been the fault of the Transferor, said Julia K. Seiwald should be authorized to further duspend operations under Permit No. A-853 until April 14, 1966.

O R D E R

THE COMMISSION ORDERS:

That a Hearing in this matter set for November 23, 1965, should be, and the same hereby is, vacated, and the Secretary of the Commission is directed to re-set the matter for hearing upon the rendition by the Commission of a Decision in Case No. 5294.

That Julia K. Seiwald, Special Administratrix of the Estate of William A. Seiwald, deceased, be, and she hereby is, authorized to further suspend operations under Permit No. A-853 until April 14, 1966.

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 November, 1965

et

(Decision No. 66346)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF NORTHWEST WATER CORPORATION, A CORPORATION, TO DETERMINE ITS RATE BASE, AND A RATE OF RETURN.

APPLICATION NO. 21020

November 29, 1965

Appearances: Irving Hayutin, Esq., Denver, Colorado, for Applicant;
John R. Barry, Esq., Denver, Colorado, for Shaw Heights Improvement Association;
Robert Lee Kessler, Esq., Assistant Attorney General of the State of 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 March 10, 1965. By this application Northwest Water Corporation (Northwest or Applicant) requests that the Commission determine the rate base and the rate of return to which Applicant is entitled as a public utility supplying water service in its certificated area. The application was set for hearing after due notice to all of the interested parties, including all of the customers of Applicant, on Monday, November 8, 1965 at 10:00 o'clock A.M. in the Commission Hearing Room, 532 State Services Building, Denver, Colorado. At said time and place this matter was heard by the Commission and, at the conclusion, taken under advisement.

At the hearing, Applicant introduced four exhibits; namely, Exhibit No. 1, being the balance sheet as of December 31, 1964 and September 30, 1965; Exhibit No. 2, the income statement for the year ending December 31, 1964 and the nine months ending September 30, 1965; Exhibit No. 3, plant and equipment detail as of September 30,

1965; and Exhibit No. 4, design data, water production and use requirements, October, 1965. Applicant testified in support of the above exhibits.

The Staff of the Commission introduced a total of seven exhibits which included, among other things, a rate base compiled from figures submitted by the Applicant, and a pro forma statement showing the increase in gross revenues needed, based on the twelve months ending September 30, 1965, if the Applicant were to earn 6% on the rate base.

It was quite apparent at the conclusion of the hearing that, despite the number of exhibits submitted and the cross examination thereon, the record in this matter is insufficient for the Commission to properly determine the rate base and the rate of return to which Applicant is entitled. Northwest is furnishing water service in an area heretofore certificated by this Commission and it is obvious that this water system is, in fact, an adjunct to the development of real estate and the building and sale of houses in the certificated area. Apparently Northwest is owned and controlled by Irving and Arthur Hayutin, and these same brothers have various other interests in real estate development, housing development, and other business entities directly or indirectly connected with the developments within the certificated area. In order for the Commission to be fully informed, it will be necessary that Applicant furnish additional data as set forth in our Order to follow, before we can make a determination of the matters sought in the instant application.

F I N D I N G S

THE COMMISSION FINDS:

That it is not sufficiently informed in regard to the rate base and rate of return sought by Northwest in the instant application.

That additional information should be furnished by Applicant as set forth in the Order to follow.

That Northwest should be granted an additional period of time, not exceeding six (6) months from the date of this Order, within which to supply this additional information.

That at such time as Applicant has submitted to the Commission the additional information the Commission will set the matter for further hearing.

O R D E R

THE COMMISSION ORDERS:

That Northwest Water Corporation be, and hereby is, required to furnish within six (6) months from the date of this Order the following information:

Northwest shall make an original cost analysis of utility plant classified in accordance with the Uniform System of Accounts prescribed by this Commission. This study shall be done on a year-by-year basis and reconciled with plant investment by accounts reported to this Commission in the Corporation's annual report. The period of study shall extend from the date of incorporation through December 31, 1964.

The Corporation's officers shall cause to be made also a similar original cost study of utility plant leased by the Corporation from lessors; i.e., S & H Builders, Inc., Mountain States Industries and from S-H Investment Company and any other lessors.

The Uniform System of Accounts in effect 1955 through 1960 provided for the following accounts condensed for bookkeeping and reporting purposes:

Account Number	Title of Account
301	Organization
302-3	Franchises and Consents
311	Land, Land rights and Water rights
312	Structures and improvements
312-2	Power and pumping structures
321	Transmission mains
322	Distribution mains
323	Services
325	Hydrants
324	Meters
336	Miscellaneous Equipment

Account Number	Title of Account
341-42	Utility plant purchased and sold
241	Customers' advances for construction
265	Contributions in Aid of Construction

The Uniform System of Accounts in effect 1961 to 1964 inclusive provided accounts which when condensed appear as follows for accounting and reporting purposes:

Account Number	Title of Account
301	Organization
302-3	Franchises and Consents
310-89	Land, Land rights and Water rights
311-90	Structures and improvements
321-28	Pumping plant
331-32	Water treatment plant
343-1	Transmission mains
343-2	Distribution mains
345	Services
348	Hydrants
346-47	Meters
398	Miscellaneous Equipment
107	Construction work in progress
108	Acquisition adjustments
252	Customers' Advances for Construction
271	Contributions in Aid of Construction

The original cost of utility property and equipment as of December 31, 1964 by the Uniform System of Accounts classification shall be tabulated and reported as follows:

a. Summary totals by accounts as set forth in the preceding paragraph.

b. By accounts in detail as follows:

(Page heading to be number and name of account).

Column 1. Brief description of item and components, dimensions, capacity, etc. and date of installation. Adjustments and transfers out or in.

Column 2. Unit (Each, lot, item added, etc.)

Column 3. Number of units.

Column 4. Total cost.

c. Grand total of account.

The above tabulation of utility property and equipment shall be the result of a detailed analysis of the corporation's books and records. This analysis shall be the detailed enumeration of:

(1) The additions to the plant accounts

(2) Detailed retirements from the plant accounts

(3) Detailed statements of adjustments and transfers in and out of the respective accounts.

(4) Beginning and ending balances of each account

Plant account data and information required in the above stated analysis shall be of the following nature and may be tabulated under column headings:

a. Account number

b. Account name

c. Balance January 1

d. Description of items added to plant

e. Ledger and folio reference

f. Dollar amount of item

g. Installed by whom (If Force Account,list both materials and labor costs)

h. Contract reference (Date, etc.)

i. Materials installed (name of supplier)

j. Invoice (number and date)

k. Paid check numbers and amount, name of payee

l. Other kind of payment: notes,stock or other form of payment, name of payee

The analysis of the depreciation reserve shall compliment the analysis of the plant accounts, be by plant account designations, year by year, and reconciled to the balances reported to this Commission as follows:

a. Account number

b. Account name

c. Name and description of property

d. Date acquired

e. Cost or other basis

f. Salvage amount

g. Adjusted cost basis with explanation in foot notes

h. Depreciation taken in former years

i. Remaining cost

j. Method

k. Rate percent

l. Depreciation for this year

The above detailed depreciation information shall also be furnished for the utility plant leased by Northwest.

Northwest shall set forth a complete transcript of its capitalization since incorporation as follows:

Common Stock:

a. Authorized by Articles of Incorporation and amendments:

1. Date
2. Number of shares-Voting
3. Number of shares-Non-voting
4. Nominal value
5. Par value
6. Dates of amendments and change in provisions

b. Common stock subscribed and issued:

1. Name of subscriber
2. Name of purchaser (State if Builder, Promoter, Real Estate Developer or Other)
3. Date number of shares
4. Purchase price per share
5. Premium per share
6. Total purchase price amount of all shares purchased
7. Kind of payment, cash, services, other, and date
8. List owners of stock and number of shares held, from date of Incorporation to 9/30/65

c. Preferred stock subscribed and issued:

1. Name of subscriber
2. Name of purchaser (State if Builder, Promoter, Real Estate Developer or Other)
3. Date number of shares
4. Purchase price per share
5. Premium per share
6. Total purchase price amount of all shares purchased
7. Kind of payment cash, services, other, and date.

Names of directors.

Date elected.

Date removed from office.

Compensation paid to directors - amount and dates.

Northwest Water Corporation shall list and provide information with regard to all long term borrowings; i.e., obligations over one year, and the repayment thereof:

a. Date issued
b. To whom issued and for what purpose. (For cash, Property or Other)
c. Present owners of such debt
d. Kind of debt
e. Amount
f. Interest rate
g. Term and date of maturity
h. Amount of accrued interest unpaid 12/31/64.

That Northwest shall set forth in a statement entitled Analysis of Surplus all accounting entries, debits and credits to any and all surplus accounts maintained by the Corporation. This analysis shall be by years from the date of incorporation and be in agreement or reconciled to the surplus or deficit reported in its annual reports to this Commission. All entries shall be classified under appropriate descriptive column headings. Unusual items requiring additional explanation shall be footnoted.

Northwest shall present a schedule of salaries of officers of Northwest, showing the amounts booked for each officer and the amounts paid each officer year by year from date of incorporation to the year 1964 inclusive. Also on this schedule show the accounts and amounts debited and credited.

Northwest shall prepare a statement as to the payment of dividends in any form by Northwest, if any, from date of incorporation to December 31, 1964.

That Northwest shall prepare in exhibit form, to be placed in the record, a list of all the "Hayutin Interests"; i.e., corporations, partnerships, trusts, etc., having to do with the Northwest Water Corporation, real estate ownership or development and building entities that have constructed houses within the certificated area of Northwest; this exhibit to show the ownership of the Hayutin's, their families and/or relatives in the various entities. Also this

exhibit should show if any of the above "Interests" presently own stock in Northwest, the date the stock was acquired, from whom acquired, and the purchase price per share.

That Northwest shall prepare, in exhibit form for the record, the history of the ownership of the land within the presently certificated area of Northwest, beginning prior to the acquisition of land for development purposes and up until the time said land was sold to the homeowner. Northwest shall give complete nature of all the transactions, such as the price paid, to whom paid, the terms; i.e., cash or other consideration, mortgages, the amounts thereof, and by whom held, up until September 30, 1965.

That Northwest shall prepare a written statement, to be submitted under oath in the record, containing an itemized list of the cost of the materials purchased, the charges for labor furnished or services rendered in the construction and installation of Northwest properties or the properties leased by Northwest from any entities in which the Hayutin's or the "Hayutin Interests" had any interest.

That Northwest shall furnish, in the form of an exhibit, all of the deeds or, in the alternative, a description of all the property covered by the restrictive covenant (Staff exhibit No. 7) which provides that Northwest is the only one who can furnish water.

That Northwest shall make available to the Staff of the Commission the State and Federal income tax returns for all the years since the inception of the Northwest Water Corporation to date.

That Northwest shall make available, for the record at the further hearing to be held herein, a full disclosure in regard to the formation of the Northwest Water District and the proposed transactions by and between Northwest Water Corporation and said District; this disclosure to include a resume of and the results of any civil actions before the Court involving the Water District.

That at such time that Northwest has prepared all of the data necessary to comply with the Order herein, and filed it with this Commission, the Commission by Order shall set the matter for further hearing.

That this Order shall become effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 29th day of November, 1965.

et

(Decision No. 66347)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INVESTIGATION AND SUSPENSION OF CERTAIN TARIFF SHEETS OF TARIFF COLORADO PUC NO. 5 OF THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY PERTAINING TO MOBILE TELEPHONE SERVICE AND MESSAGE TOLL TELEPHONE SERVICE.	INVESTIGATION AND SUSPENSION DOCKET NO. 558

November 29, 1965

S T A T E M E N T

BY THE COMMISSION:

On October 13, 1965 Mr. R. J. Pringle, Vice President and Colorado General Manager of The Mountain States Telephone and Telegraph Company (Mountain States) filed with the Public Utilities Commission (PUC) certain proposed changes in its tariff Colorado PUC No. 5 pertaining to the Mobile Telephone Service section and corresponding parts of the Message Toll Telephone Service section, all changes to become effective on November 13, and subsequent billing, unless otherwise ordered.

By this filing, Mountain States proposes to change the offering in all Colorado mobile telephone service areas from measured to flat rate mobile telephone service where measured rate service is still offered. This proposal would place all mobile telephone service offered in Colorado on a uniform flat rate. Also, dial operation, requiring all new mobile units, will be introduced on an area-by-area basis with the availability of Central Office equipment.

The proposed changes in the mobile tariff, inter alia, provide for an increase in rates, where Mountain States furnishes the equipment, from the present measured service rate of $15.00 - $24.00 (depending on the number of channels) per month minimum to the pro-

posed flat rate of $45.00 per month minimum. The measured service, as the term indicates, charges extra for message units over the 120 message units allowed in the monthly minimum. In the case of customer-owned equipment, the present monthly minimum is $7.00 and the proposed new rate would increase it to $20.00 per month, based on unlimited calling. Under the $7.00 minimum, the customer is allowed 120 message units per month.

The proposed changes in the Message Toll Telephone Service have to do with making the tariff of Mountain States compatible as between the Message Toll section and the Mobile Telephone section.

Mountain States notified its customers of the proposed increase in rates and, as a result of said notification, the Commission has received complaints from two customers receiving mobile telephone service. Both of these customers are protesting the increase in rates. One customer supplies his own equipment while the other utilizes the equipment furnished by Mountain States.

The rule of the Commission regarding notice to customers of proposed increase in rates provides that the customer shall have a written notice thirty (30) days prior to the effective date of the increase which gives him opportunity, if he so desires, to protest prior to the effective date. It appears from the files of the Commission that Mountain States did not give the customers the full 30 days notice and, consequently, some of these customers may not have had an opportunity to protest prior to the effective date of the proposed increase, which was to begin on November 13, 1965, and the initial cycle billing periods, extending to about December 1, 1965.

In addition to the proposed change in rates, the proposed tariff also will offer only one class of service; i.e., flat rate, and makes no distinction as between residence and business service.

In view of the above the effective date of the proposed changes should be suspended and an investigation and hearing held in this matter.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission on its own motion should suspend the effective date of the proposed changes in the Mobile Telephone Service tariff and the Message Toll Telephone Service tariff filed by Mountain States on October 13, 1965 to become effective on November 13, 1965, and subsequent billing periods.

O R D E R

THE COMMISSION ORDERS:

That the effective dates of the tariff sheets of Tariff Colorado PUC No. 5 of The Mountain States Telephone and Telegraph Company pertaining to Mobile Telephone Service and Message Toll Telephone Service as set forth herein, be, and hereby are, suspended from November 13 or until March 13, 1966, unless otherwise ordered.

That the tariff sheets of Tariff Colorado PUC No. 5 of Mountain States Telephone and Telegraph Company to be suspended are as follows:

Message Toll Telephone Service

12th Revised Sheet No. 1
4th " " No. 2
5th " " No. 20
5th " " No. 21
5th " " No. 22

Mobile Telephone Service

8th Revised Index Sheet No. 1
2nd " " " No. 2
6th " Sheet No. 9
5th " " No. 10
3rd " " No. 11
3rd " " No. 12
2nd " " No. 13
3rd " " No. 14

That the rates, rentals, tolls, charges, classifications, rules and regulations contained in the above tariff sheets be made a subject of investigation by the Commission within said period of suspension.

That the matters contained in said tariff sheets set forth above be, and they hereby are, set for hearing before the Commission at 11:00 o'clock A.M. January 10, 1966, in the Commission's Hearing Room, 532 States Services Building, Denver, Colorado.

That a copy of this Order be filed with the section of Colorado PUC No. 5 "Mobile Telephone Service" and "Message Toll Telephone Service" as set forth herein, and copies hereof be forthwith served on Mountain States Telephone and Telegraph Company and the customers protesting the filed rates.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 29th day of November, 1965

et

(Decision No. 66348)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INVESTIGATION AND SUSPENSION OF A PROPOSED SECTION ENTITLED "RURAL RADIO SERVICE TARIFF" OF TARIFF COLORADO PUC NO. 5 OF THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY.	)	INVESTIGATION AND SUSPENSION DOCKET NO. 557

November 29, 1965

S T A T E M E N T

BY THE COMMISSION:

On October 13, 1965 Mr. R. J. Pringle, Vice President and Colorado General Manager of The Mountain States Telephone and Telegraph Company (Mountain States) filed with The Public Utilities Commission (PUC), as a part of its tariff Colo. PUC No. 5, a new section in said tariff designated "Rural Radio Service." By this filing Mountain States is proposing regulations and schedules of charges to apply to rural (fixed station) radio telephone service. This new section of the tariff was to become effective on December 1, 1965, unless otherwise ordered.

According to the Advice Letter No. 312 of Mountain States, which accompanied the filing of this new tariff section, this service will be furnished only where it is impracticable to provide land line service and only when the furnishing of such service will not degrade the service to mobile customers served through the same base station. Eight subscribers are now served by rural radio facilities with all locations being classified as either toll stations or mobile stations.

On November 15, 1965, this Commission received a letter from a customer presently receiving this service protesting the new rate since it would increase his cost for service about $10.00 per month.

In view of the protest and the fact this is a new tariff for this proposed service, we believe the effective date of the tariff should be suspended and a hearing held.

F I N D I N G S

THE COMMISSION FINDS:

That on its own motion the Commission should suspend the effective date of the section of Mountain States Tariff Colo. PUC No. 5 designated "Rural Radio Service" filed with the Commission on October 13, 1965, and that an investigation and hearing should be held in the matter.

O R D E R

THE COMMISSION ORDERS:

That the effective date of the proposed section of Mountain States Tariff Colorado PUC No. 5 pertaining to "Rural Radio Service" be, and it hereby is, suspended for a period of one hundred twenty (120) days from December 1, 1965, or until March 1, 1966, unless otherwise ordered.

That the rates, rentals, charges, classifications, rules and regulations contained in said tariff section be made a subject of investigation by the Commission within said period of suspension.

That the matters contained in said section of Tariff Colo. PUC No. 5 "Rural Radio Service", be, and they hereby are, set for hearing before the Commission at 10:00 o'clock A.M. January 10, 1966, in the Commission's Hearing Room, 532 State Services Building, Denver, Colorado.

That a copy of this Order be filed with the proposed section of Tariff Colo. PUC No. 5 "Rural Radio Service" and copies hereof be

forthwith served on Mountain States and the customer protesting the filed rates.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 29th day of November, 1965

et

ing copy

Decision No. 66349

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
LUVERNE TRUCK EQUIPMENT INC.)
501 Edgehill)
Luverne, Minnesota)
)
)
-)

AUTHORITY NO. M 99

CASE NO. 3081 Ins.

- - - - - - - - - - - - - - -

November 29, 1965

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S T A T E M E N T

By the Commission:

On November 19, 1965, 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

Commissioners

Dated at Denver, Colorado,
this 29th day of November, 1965

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