

(Decision No. 66540)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF  
DALE F. BEAGLE, 5315 PERRY STREET,  
DENVER, COLORADO, FOR A CLASS "B"  
PERMIT TO OPERATE AS A PRIVATE CAR-  
RIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21671-PP

January 6, 1966

Appearances: Dale F. Beagle, Denver, Colo-  
rado, 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.

#### ORDER

##### THE COMMISSION ORDERS:

That Dale F. Beagle, 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; also, coal, from the Northern Colorado coal fields to Denver and a 10-mile radius thereof; peat moss, natural fertilizer, and red ash,



from point to point within the State of Colorado; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

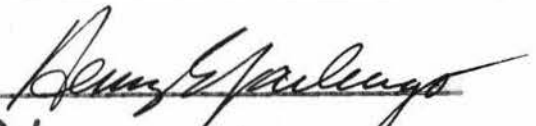
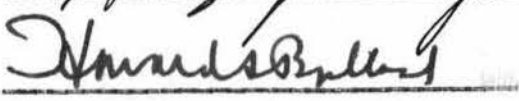
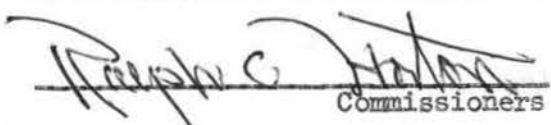
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a customer list, 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 6th day of January, 1966

et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
KRISTOFFER D. SORTLAND, DOING BUSI- )  
NESS AS "CRAWFORD-MAHER STAGELINE," )  
CRAWFORD, COLORADO, FOR AUTHORITY TO )  
TRANSFER PUC NO. 579 AND PUC NO. 579-I ) APPLICATION NO. 21635-Transfer  
TO DOUGLAS L. CHAMBERS, DOING BUSI- )  
NESS AS "CRAWFORD-MAHER STAGELINE," )  
CRAWFORD, COLORADO. )  
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January 7, 1966  
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Appearances: Marion D. Sell, Esq., Hotchkiss,  
Colorado, for Transferor and  
Transferee.

S T A T E M E N T

BY THE COMMISSION:

Kristoffer D. Sortland, doing business as "Crawford-Maher  
Stageline," Crawford, Colorado, is the owner and operator of PUC No.  
579 and PUC No. 579-I, authorizing:

Transportation of freight and express between Hotchkiss  
and Maher, Colorado, and intermediate points; between all  
points in Colorado and the Colorado state boundary lines  
where all highways cross same in interstate commerce only,  
subject to the provisions of the Federal Motor Carrier  
Act of 1935, as amended.

and by the instant application seeks authority to transfer said PUC  
No. 579 and PUC No. 579-I to Douglas L. Chambers, doing business as  
"Crawford-Maher Stageline," Crawford, Colorado.

Said application, pursuant to prior setting, after appro-  
priate notice to all parties in interest, was heard at the District  
Court Room, Court House, Montrose, Colorado, December 29, 1965, and at  
the conclusion of the evidence, the matter was taken under advise-  
ment.

Douglas L. Chambers testified that he is one of the appli-  
cants herein, namely, the proposed transferee, and that he has entered

into a contract (Exhibit A) with Kristoffer D. Sortland for the purchase of PUC 579 and I. The contract of sale and purchase, properly executed by both Kristoffer D. Sortland and Douglas L. Chambers, was introduced in evidence, and the parties were given permission to substitute therefor a photostatic copy, which was done. Douglas L. Chambers plans to continue doing business under the name style and title of Crawford-Maher Stageline. Chambers has an estimated net financial worth in excess of \$25,000. He has been operating under temporary authority for some time. He is the owner of a two-ton Ford truck which he plans to utilize to render service. He has had over three years' experience in the trucking business. 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 transfer is approved. We note that the original application for transfer filed with the Commission on October 28, 1965 contemplated the transfer of PUC No. 579 and I to a partnership consisting of Douglas L. Chambers and James T. Lane. A further application, however, was filed with the Commission on November 9, 1965, and such further application seeks a transfer of PUC No. 579 and I to Douglas L. Chambers in his individual capacity, and this is the application considered by the Commission in the instant proceeding.

No one appeared in opposition to the proposed transfer.

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

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

##### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest and should be authorized, as set forth in the Order following.

## ORDER

### THE COMMISSION ORDERS:

That Kristoffer D. Sortland, doing business as "Crawford-Maher Stageline," Crawford, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 579 and PUC No. 579-I, to Douglas L. Chambers, doing business as "Crawford-Maher Stageline," Crawford, Colorado, subject to encumbrances, if any, against said authority approved by the Commission.



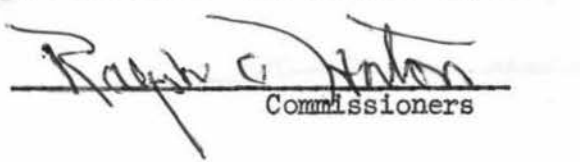
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements 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 hereunder 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 7th day of January, 1966.

et

(Decision No. 66542)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF  
EDWIN C. THOMAS, ROUTE 1, ALAMOSA,  
COLORADO, FOR AUTHORITY TO TRANSFER  
PERMIT NO. B-6409 TO KEITH MORCH,  
SANFORD, COLORADO.

APPLICATION NO. 21683-PP-Transfer

January 7, 1966

Appearances: Edwin C. Thomas, Alamosa, Colo-  
rado, pro se;  
Keith Morch, Sanford, Colorado,  
pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Edwin C. Thomas, Alamosa, Colorado, was author-  
ized to operate as a Class "B" private carrier by motor vehicle for hire,  
Permit No. B-6409, authorizing:

Transportation, under contract with Montgomery Ward &  
Company, Inc., of Alamosa, Colorado, in the business  
and delivery solely for them, of merchandise sold by  
them, at their retail store at Alamosa, Colorado,  
service to be rendered from their store, in Alamosa,  
Colorado, to and from points within a radius of fifty  
miles of Alamosa, Colorado.

By the above-styled application, said permit-holder seeks  
authority to transfer said Permit No. B-6409 to Keith Morch, Sanford,  
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, to-  
gether with a written statement of his findings of fact and conclu-  
sions.



Report of the Examiner states that at the hearing, transferor herein appeared and testified in support of the instant application, stating that the consideration for the transfer of Permit No. B-6409 is \$50.00; and that there is no outstanding indebtedness against said permit.

Transferee herein also appeared and testified, stating that he will have ample and suitable equipment, sufficient net worth and operating experience with which to render and to conduct said 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 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 Edwin C. Thomas, Alamosa, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to Permit No. B-6409-- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Keith Morch, Sanford, 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 been 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 prior filing by transferor of delinquent reports, if any, covering operations under this permit up to the time of transfer of said permit.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 7th day of January, 1966.

et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF ) FRED SAN SOUCI, BOX 161, LA PORTE, ) COLORADO, FOR AUTHORITY TO EXTEND ) OPERATIONS UNDER PERMIT NO. B-5724. )	<u>APPLICATION NO. 21628-PP-Extension</u>
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January 7, 1966  
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Appearances: Fred Sansoucci, La Porte,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicant herein is presently the owner and operator of Permit No. B-5724, being the right to operate as a Class "B" private carrier by motor vehicle for hire, for the:

Transportation of logs from forests within a radius of ten miles of Red Feather Lakes, Colorado, to East Side Lumber Company, located at the south edge of Fort Collins, Colorado. EXTENDED TO INCLUDE transportation of forest and sawmill products from Cherokee Park to Denver, Colorado, for Broderick Wood Products Company, Denver, Colorado.

By the above-styled application, said permit-holder seeks authority to extend operations under Permit No. B-5724 to include the transportation of forest and sawmill products for Broderick Wood Products of Denver, from Denver and a radius of five miles thereof to points east of the Continental Divide.

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 extended transportation service; that applicant will have sufficient equipment and experience to properly carry on the proposed extended 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 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 the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### ORDER

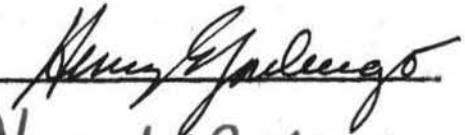
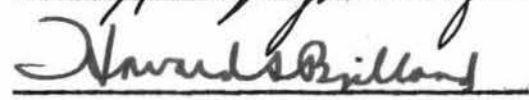
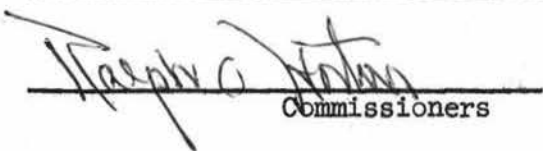
##### THE COMMISSION ORDERS:

That Fred Sansoucci, La Porte, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-5724 to include the transportation of forest and sawmill products for Broderick Wood Products of Denver, from Denver and a radius of five miles thereof to points east of the Continental Divide; 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 7th day of January, 1966.

et

(Decision No. 66544)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
JOHN BURNHAM, 2638 EAST YAMPA, COLO- )  
RADO SPRINGS, COLORADO, FOR AUTHORITY )  
TO EXTEND OPERATIONS UNDER PERMIT NO. )  
B-6347. )

APPLICATION NO. 21655-PP-Extension

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January 7, 1966  
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Appearances: John Burnham, Colorado Springs,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicant herein is presently the owner and operator of  
Permit No. B-6347, 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 used in the construction of roads and highways,  
from pits and supply points in the State of Colorado, to  
road jobs, mixer and processing plants within a radius of  
fifty miles of said pits and supply points; sand and gravel,  
from pits and supply points in the State of Colorado, to  
railroad loading points, and to home and small construction  
jobs within a radius of fifty miles of said pits and supply  
points; sand, gravel, dirt, stone, and refuse, from and to  
building construction jobs, to and from points within a  
radius of fifty miles of said jobs; insulrock, from pits  
and supply points in the State of Colorado, to roofing  
jobs within a radius of fifty miles of said pits and supply  
points; the transportation of road-surfacing materials  
being restricted against the use of tank vehicles.

By the above-styled application, said permit-holder seeks  
authority to extend operations under Permit No. B-6347, 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.

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 extended transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed extended 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 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 the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

ORDER

THE COMMISSION ORDERS:


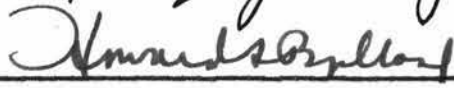
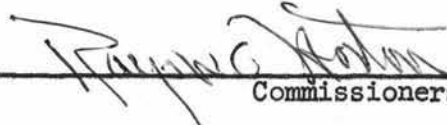
That John Burnham, Colorado Springs, Colorado, be, and hereby is authorized to extend operations under Permit No. B-6347, so that said Permit No. B-6347 shall be and read as follows, to-wit:

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 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 7th day of January, 1966.

et.

(Decision No. 66545)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DEODIS CROWLEY, 2921 FILMORE STREET, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 21666-PP

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January 7, 1966  
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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.

#### ORDER

##### THE COMMISSION ORDERS:

That Deodis Crowley, 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

*Henry E. Parsons*  
*Donald B. Biddle*  
*Ralph C. Hutton*  
Commissioners

Dated at Denver, Colorado  
this 7th day of January, 1966

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF GERALD ) BREZINA, DOING BUSINESS AS "BREZINA CON- ) STRUCTION COMPANY," BOX 638, GEORGETOWN, ) COLORADO, FOR A CLASS "B" PERMIT TO OPERATE ) AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR ) HIRE. )	<u>APPLICATION NO. 21589-PP</u>
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January 7, 1966  
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Appearances: Joseph F. Nigro, Esq., 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, 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 Gerald Brezina, doing business as "Brezina Construction Company," Georgetown, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sugar beets from stock piles to sugar factories and for transportation of sugar beet pulp from factories to points within a 100-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 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

Henry E. Zuleygo  
Howard B. Butler  
Joseph C. Hottel  
Commissioners

Dated at Denver, Colorado,  
this 7th day of January, 1966.

(Decision No. 66547)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION  
OF HENRY T. PURDUM, MONTROSE, COLO-  
RADO, FOR A CLASS "B" PERMIT TO  
OPERATE AS A PRIVATE CARRIER BY  
MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21608-PP

January 7, 1966

Appearances: Henry T. Purdum, Montrose,  
Colorado, pro se.

S T A T E M E N T

BY THE COMMISSION:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, 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.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the District Court Room, Court House, Montrose, Colorado, Wednesday, December 29, 1965, and at the conclusion of the evidence, the matter was taken under advisement.

Henry T. Purdum testified that he is the applicant in the instant proceeding and that he seeks authority from the Commission to transport logs, poles and timber products, as well as rough lumber, all as specifically set forth in the application. He has a net financial worth of approximately \$20,000 and is the owner of a 1964 Kenworth truck which he plans to utilize to render service if the authority sought herein is granted. He has had over twenty-five years' experience in the operation of trucks. If the authority sought herein is granted, he plans

to enter into contracts with loggers and sawmill operators for the transportation of the commodities set forth in the application. He has been operating under temporary authority since early November.

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

It did not appear that the proposed service of applicant would impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

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

#### FINDINGS

##### THE COMMISSION FINDS:

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

That authority sought should be granted, as restricted in the Order following.

#### ORDER

##### THE COMMISSION ORDERS:

That Henry T. Purdum, Route 2, Montrose, Colorado, should 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 amendments to this permit deemed advisable.


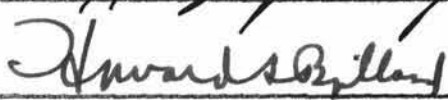
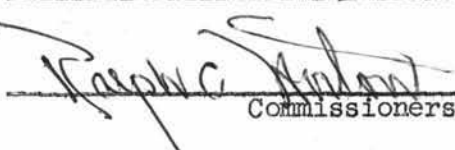
That this Order is the permit herein provided for, but it

shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado  
this 7th day of January, 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ALBERT R. SCHAEFFER, DOING BUSINESS )  
AS "AL SCHAEFFER SAND & GRAVEL," )  
1291 EAST 3RD STREET, LOVELAND, COLO- )  
RADO, FOR AUTHORITY TO TRANSFER )  
PERMIT NO. B-4449 TO WAYNE A. )  
SCHAEFFER, 1416 EAST 5TH, LOVELAND, )  
COLORADO. )

APPLICATION NO. 21661-PP-  
TRANSFER

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January 10, 1966  
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Appearances: Albert R. Schaeffer, Loveland,  
Colorado, pro se;  
Wayne A. Schaeffer, Loveland,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Albert S. Schaeffer, doing business as "Al Schaeffer Sand & Gravel," Loveland, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire, Permit No. B-4449, authorizing:

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

By the above-styled application, said permit-holder seeks authority to transfer Permit No. B-4449 to Wayne A. Schaeffer, 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 of said proceeding, together with a written statement of his findings of fact and conclusions.



Report of the Examiner states that at the hearing, transferor herein appeared and testified in support of the application, stating there will be no consideration for transfer of said operating rights; and that there is no outstanding indebtedness against said operation.

Transferee herein also appeared and testified, stating that he will have ample and suitable equipment, sufficient net worth and operating experience with which to render and to conduct said 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 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.

#### ORDER

##### THE COMMISSION ORDERS:

That Albert R. Schaeffer, doing business as "Al Schaeffer Sand & Gravel," Loveland, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to Permit No. B-4449 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Wayne A. Schaeffer, Loveland, 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 the Order shall

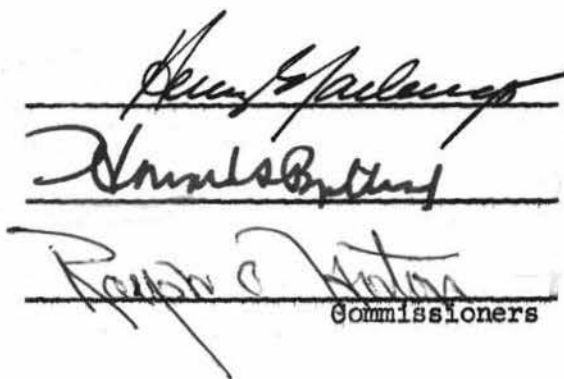
automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado  
this 10th day of January, 1966.

ls

(Decision No.66549)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
DONALD E. WATSON, BOX 481, CHAMA, NEW }  
MEXICO, FOR A CLASS "B" PERMIT TO }  
OPERATE AS A PRIVATE CARRIER BY MOTOR }  
VEHICLE FOR HIRE. }

APPLICATION NO. 21672-PP

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January 10, 1966  
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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 said hearing, 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. There being no protestants, 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 render the proposed service.

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

ORDER

THE COMMISSION ORDERS:

That Donald E. Watson, Chama, New Mexico, be, and hereby is, authorized to operate as a C lass "B" private carrier by motor vehicle for hire, for the transportation of logs from Blanco Basin to Pagosa Springs, Colorado; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

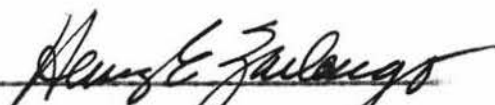
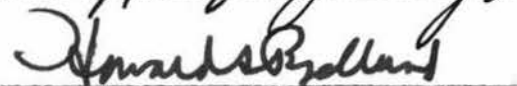
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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, and 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 10th day of January, 1966.

et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RUSSELL S. STOUT, 822 CROWN RIDGE )  
DRIVE, COLORADO SPRINGS, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS A PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION NO. 21669-PP

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January 10, 1966  
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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 said hearing, 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. There being no protestants, 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 render the proposed service.

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 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 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.

#### ORDER

##### THE COMMISSION ORDERS:

That Russell S. Stout, 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 fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

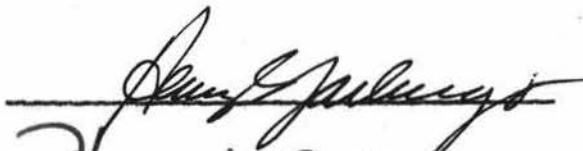
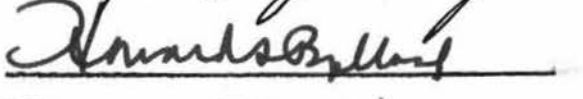
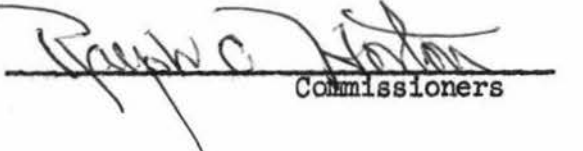
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

Dated at Denver, Colorado,  
this 10th day of January 1966.

ls



(Decision No.66551)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WILLIAM L. BROUGH, DOLORES, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE AS )  
A PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION NO. 21510-PP

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January 10, 1966  
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Appearances: Elizabeth A. Conour, Esq., Del  
Norte, 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, 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 opera-  
ting 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.

#### ORDER

##### THE COMMISSION ORDERS:

That William L. Brough, Dolores, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs and poles from forests to sawmills, places of storage and loading points within a radius of 50 miles of said forests, within the State of 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 this Commission.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Harold E. Ziegler  
Howard B. Jelland  
Joseph C. Jordon  
Commissioners

Dated at Denver, Colorado,  
this 10th day of January, 1966.

et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RICHARD F. CORNELL, 1429 BOWSER, )  
COLORADO SPRINGS, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE FOR )  
HIRE. )  
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APPLICATION NO. 21679-PP

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January 10, 1966  
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Appearances: Richard F. Cornell, 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 Richard F. Cornell, 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 deemed to be, and be, a PERMIT therefor.


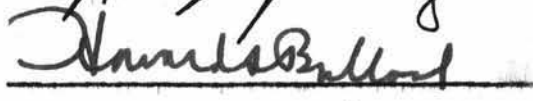
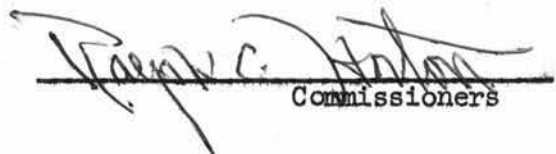
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 10th day of January, 1966.

et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
N. J. TIPTON, 3600 TEMPLETON GAP )	
ROAD, COLORADO SPRINGS, COLORADO, )	
FOR A CLASS "B" PERMIT TO OPERATE AS )	APPLICATION NO. 21668-PP
A PRIVATE CARRIER BY MOTOR VEHICLE )	
FOR HIRE. )	
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January 10, 1966  
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Appearances: N. J. Tipton, 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.

#### ORDER

##### THE COMMISSION ORDERS:

That N. J. Tipton, 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 deemed to be, and be, a PERMIT therefor.


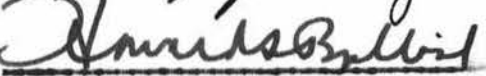

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 10th day of January, 1966.

et

(Decision No.66554)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JASPER ABAYTA, BOX 674, CENTER, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 21663-PP

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January 10, 1966  
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Appearances: Elizabeth A. Conour, Esq., Del  
Norte, 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, 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.

#### ORDER

##### THE COMMISSION ORDERS:

That Jasper Abeyta, Center, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of potatoes, hay, and vegetables between points within a 50-mile radius of Center, Colorado; and this ORDER shall be deemed to be, and be, a PERMIT therefor.


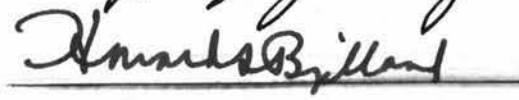
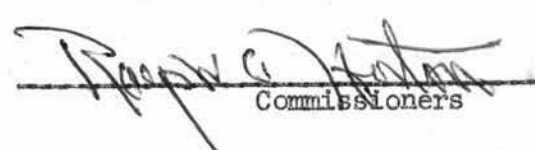
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 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 10th day of January, 1966.

et

(Decision No. 66555)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN J. QUINTANA, CAPULIN, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE AS )  
A PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----

APPLICATION NO. 21649-PP

-----  
January 10, 1966  
-----

Appearances: Elizabeth A. Conour, Esq., Del  
Norte, 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 fully 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 wuthority 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.

#### ORDER

##### THE COMMISSION ORDERS:

That John J. Quintana, Capulin, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of potatoes, hay, and green vegetables between points within a 50-mile radius of Capulin, 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 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 10th day of January, 1966.

et

(Decision No. 66556)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOSEPH P. SKALLA, 1502 WEST ST. VRAIN, )  
COLORADO SPRINGS, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )

APPLICATION NO. 21664-PP

-----  
January 10, 1966  
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Appearances: Dorothy Skalla, Colorado Springs  
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, Dorothy Skalla, wife of the 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 the applicant 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.

#### ORDER

##### THE COMMISSION ORDERS:

That Joseph P. Skalla, 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 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

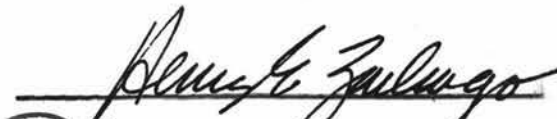
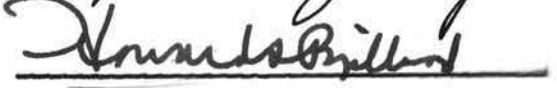
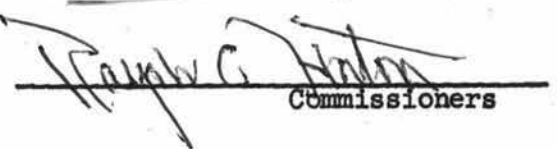
operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

Dated at Denver, Colorado,  
this 10th day of January, 1966.

ls

(Decision No. 66557)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
CHESTER B. HOWARD, CHERAW, COLORADO,  
FOR A CERTIFICATE OF PUBLIC CONVEN-  
IENCE AND NECESSITY TO OPERATE AS A  
COMMON CARRIER BY MOTOR VEHICLE FOR  
HIRE.

APPLICATION NO. 21550  
SUPPLEMENTAL ORDER

January 10, 1966

Appearances: Chester B. Howard, Cheraw,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On December 16, 1965, the Commission entered Decision No. 66457, granting to applicant herein a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire.

The Commission is in receipt of a communication from the above-styled applicant stating that he no longer has use for said operating rights and requesting cancellation thereof.

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

ORDER

THE COMMISSION ORDERS:

That operating rights granted by Decision No. 66457, dated December 16, 1965, be, and the same hereby are, cancelled and revoked, upon request of Chester B. Howard, Cheraw, Colorado, owner thereof.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry G. Gailings*  
*Howard S. Blythe*  
*Joseph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 10th day of January, 1966.  
et

(Decision No. 66558)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DON K. WOODBURY, AND SHIRLEY FIELD )  
WOODBURY, DOING BUSINESS AS )  
"WOODBURY TRANSFER & STORAGE," ROUTE )  
4, BOX 20, GUNNISON, COLORADO, FOR A )  
CERTIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY TO OPERATE AS A COMMON CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 21501  
SUPPLEMENTAL ORDER

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January 10, 1966  
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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 this matter the Commission states and finds that to grant the request will not be in the public interest and should be denied.

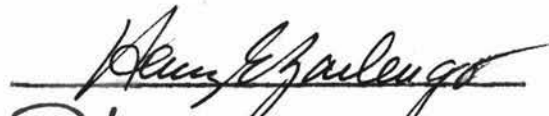


ORDER

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 10th day of January, 1966.

et

(Decision No. 66559)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN W. SLOAN, DOING BUSINESS AS )  
"A-1 UPHOLSTERY," 1215 8TH STREET, )  
GREELEY, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )

APPLICATION NO. 21306-PP  
SUPPLEMENTAL ORDER

January 10, 1966

Appearances: John W. Sloan, Greeley, Colo-  
rado, pro se;  
V. E. Whitmore, Carnation Co.,  
Johnstown, Colorado, for  
Applicant.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On August 3, 1965, the Commission entered its Decision No. 65498 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 the requirements set forth in said Decision No. 65498, viz., has failed to file Customer List and Tariff.

The Commission states and finds that inasmuch as applicant has not fulfilled requirements set forth in Decision No. 65498, operating rights granted thereby should be revoked, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

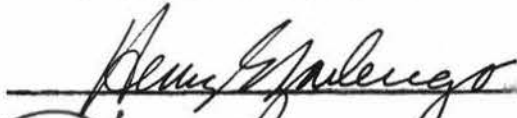
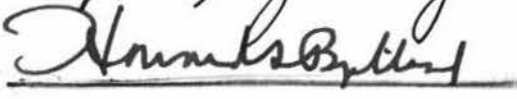

That operating rights granted to John W. Sloan, doing business as "A-one Upholstery," Greeley, Colorado, by Decision No. 65498, dated August 3, 1965, be, and the same hereby are revoked, for failure



of Applicant to comply with requirements set forth in said Decision  
No. 65498.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 10th day of January, 1966.

et

(Decision No.66560)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
DANA L. COLUMBIA, DOING BUSINESS AS )	
"COLUMBIA BROS.," BOX 302, GRANBY, )	
COLORADO, FOR A CLASS "B" PERMIT TO )	APPLICATION NO.21288-PP-Amended
OPERATE AS A PRIVATE CARRIER BY MOTOR )	SUPPLEMENTAL ORDER
VEHICLE FOR HIRE. )	
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-----  
January 10, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On September 24, 1965, the Commission entered its Decision No. 65923 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 the requirements set forth in said Decision No. 65923, viz., failed to file Customer List and Tariff.

The Commission states and finds that inasmuch as applicant has not fulfilled requirements set forth in Decision No. 65923, operating rights granted thereby should be revoked, as set forth in the Order following.



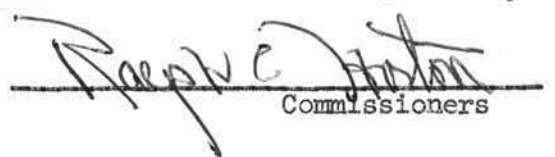
ORDER

THE COMMISSION ORDERS:

That operating rights granted to Dana L. Columbia, doing business as "Columbia Bros.," Granby, Colorado, by Decision No.65923, dated September 24, 1965, be, and the same hereby are, revoked, for failure of Applicant to comply with requirements set forth in said Decision No. 65923.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 10th day of January, 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WARREN DORRANCE, 5834 SWADLEY COURT, )  
ARVADA, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 21640-PF

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January 10, 1966  
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Appearances: George M. Graber, Esq., Arvada,  
Colorado, for Applicant;  
Edward T. Lyons, Esq., Denver,  
Colorado, for Red Ball Motor  
Freight, Inc., and North  
Eastern Motor Freight, Inc.;  
Arlen S. Ambrose, Esq., Denver,  
Colorado, for Duffy Storage  
and Moving and Weicker Transfer  
& Storage Co.;  
John P. Thompson, Esq., Denver,  
Colorado, for Denver Climax  
Truck Line, Inc., South Park  
Motor Line, and Denver-Loveland  
Transportation, Inc.

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 sheet rock, texture, nails, masking materials, lumber, steel studs and corner blades, from supply points to construction job sites throughout the State of Colorado. Applicant requests that in the event authority herein sought is granted, operating rights be known as "Permit No. B-4869," 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 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, George M. Graber, attorney for the Applicant, stated that he and attorneys for the above-name protestants had agreed that the within application should be amended, and in accordance with this agreement, Mr. Graber moved the application be amended as follows. That if a permit is issued, it will authorize operation as a private carrier by motor vehicle for hire for the:

"Transportation of sheet rock having prior movement by rail, from rail unloading points to construction sites within a 100-mile radius thereof; and texture, nails, masking materials, lumber, steel studs, and corner blades when moving in mixed shipments therewith; limited to the use of two straight trucks, or in lieu thereof to one scissor lift truck and one full trailer, such trailer not to exceed 25 ft. in length; limited also to service for not more than 10 customers."

The above proposed amendment being restrictive in nature was allowed and the application was considered as so amended.

Mr. George M. Graber on behalf of the Applicant further moved to amend the application by deleting after the name of Warren Dorrance the words "doing business as Central Dry Wall Supply." This amendment was allowed and the application was considered as so amended.

After acceptance of the above amendments each of the Protestants above-name through their attorneys announced withdrawal of protest.

Warren Dorrance, Arvada, Colorado, the applicant herein, testified that he is in complete agreement with the amendments to his application as proposed and accepted herein; that he is applying for private carrier authority for the commodities requested in order to accommodate dry wall contractors who desire the specialized service which he is equipped to furnish to them; that considerable experience and specialized equipment is required to transport dry wall and the

various other materials needed in the installation of dry wall to construction sites; that, at the present time, he owns a scissor lift truck which permits him to deliver dry wall and supplies to various floors of a building under construction thereby facilitating delivery of these items to each room in the building for installation therein; that he has had considerable experience in the transportation and handling of dry wall and his employees are likewise experienced; that his net worth is sufficient to fully perform under hauling contracts which he will have with not more than ten dry wall contractors; that he is acquainted with the rules, regulations and laws of the State of Colorado pertaining to private carriers and if the application is approved, he will carefully abide by the same.

Harry R. Blair, Westminster, Colorado, testified that he is a dry wall contractor and is well acquainted with the qualifications and equipment owned by Mr. Dorrance; that Mr. Dorrance had considerable experience in the transportation and handling of dry wall and dry wall supplies and the specialized methods utilized by Mr. Dorrance in the delivery of these items to construction sites was of great benefit not only to him but to other dry wall contractors; that dry wall is extremely difficult to handle and only persons of considerable experience are able to handle it properly and to deliver it in proper amounts to various areas in a new structure where it is to be installed; that from his own knowledge the applicant performs this service in an excellent manner and that he strongly supports the within application; and that he intends to contract for applicant's service if the within application is approved.

Marion E. Drew, Denver, Colorado, testified that he is a Manufacturers' Agent representing Kaiser Gypsum Company, Inc., which deals in the distribution of dry wall and dry wall installation supplies; that Mr. Dorrance is considered most proficient in the handling and transportation of dry wall; that a number of dry wall

contractors will benefit greatly by the specialized service which the applicant is qualified to perform; that applicant has special equipment which facilitates the delivery of dry wall to construction sites and the stocking of each room in the new construction where dry wall is to be installed; and that there is a definite need for such specialized service by dry wall contractors and that he is strongly supporting the within application.

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 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.

#### ORDER

##### THE COMMISSION ORDERS:

That Warren Dorrance, Arvada, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sheet rock having prior movement by rail, from rail unloading points to construction sites within a 100-mile radius thereof; and texture, nails, masking materials, lumber, steel studs, and corner blades when moving in mixed shipments therewith; limited to the use of two straight trucks, or in lieu thereof to one scissor lift truck and one full trailer, such trailer not to exceed 25 feet in length; limited also to service for not more than ten customers;



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-4869."


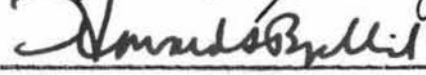
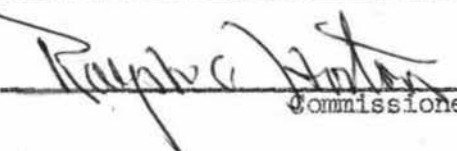
That all operations hereunder shall be strictly contract  
operations, the Commission retaining jurisdiction to make such amend-  
ments to this permit deemed advisable.

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 10th day of January, 1966.

(Decision No.66562)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
NEIL W. KNUTSON AND JERRY G. SMITH, )  
1949 OGDEN STREET, DENVER, COLORADO, )  
FOR AUTHORITY TO TRANSFER PERMIT NO. )  
B-6263 TO JERRY G. SMITH, 4494 WEST )  
65TH AVENUE, ARVADA, COLORADO. )  
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APPLICATION NO. 21654-PP-Transfer

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January 10, 1966  
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Appearances: Jerry G. Smith, Arvada, Colo-  
rado, for Transferors and  
Transferee.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Neil W. Knutson and Jerry G. Smith, Denver, Colo-  
rado, were authorized to operate as a Class "B" private carrier by motor  
vehicle for hire, Permit No. B-6263, 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  
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.

By the above-styled application, said permit-holders seek  
authority to transfer Permit No. B-6263 to Jerry G. Smith, Arvada, Colo-  
rado, said Neil W. Knutson 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 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, Jerry G. Smith appeared and testified in support of the application, stating that there will be no monetary consideration for the transfer of said operating rights; that there is no outstanding indebtedness against said permit; and that he will have ample and suitable equipment, sufficient net worth and operating experience with which to continue operations under Permit No. B-6263.

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.

#### ORDER

##### THE COMMISSION ORDERS:

That Neil W. Knutson and Jerry G. Smith, Denver, Colorado, be, and hereby are, authorized to transfer all right, title, and interest in and to Permit No. B-6263 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Jerry G. Smith, Arvada, Colorado, said Neil W. Knutson being hereby authorized to withdraw from said partnership.

That transfer of operating rights herein authorized is subject to encumbrances, if any, against said permit, approved by this Commission.

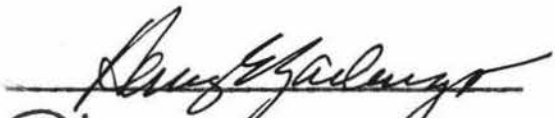
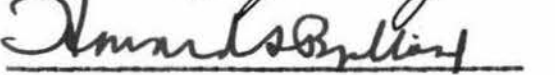

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of 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 revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 10th day of January, 1966.

et

(Decision No. 66563)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WESTERN TRANSFER, LTD., P. O. BOX )  
214, GRAND JUNCTION, COLORADO, FOR )  
AUTHORITY TO TRANSFER INTERSTATE )  
OPERATING RIGHTS TO UTE TRUCKING )  
COMPANY, A COLORADO CORPORATION, )  
3126 B $\frac{1}{2}$  ROAD, GRAND JUNCTION, COLO- )  
RADO. )

PUC NO. 2355-I-Transfer  
SUPPLEMENTAL ORDER

-----  
January 10, 1966  
-----

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, by Decision No. 65988, dated October 5, 1965, the Commission authorized Western Transfer, Ltd., Grand Junction, Colorado, to transfer PUC No. 2355-I to Ute Trucking Company, a Colorado corporation, Grand Junction, Colorado.

The requirements which are a condition precedent to transfer of said certificate upon our records were never complied with, and the records of the Commission show that said operating rights are the property of Western Transfer, Ltd.

The Commission states and finds that Decision No. 65988, dated October 5, 1965, should be set aside and the records of the Commission show that Western Transfer, Ltd. is the owner of said PUC No. 2355-I.

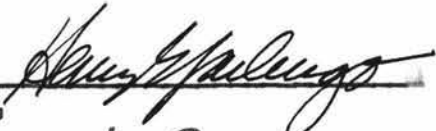
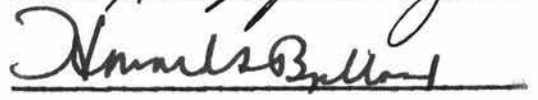

O R D E R

THE COMMISSION ORDERS:

That Decision No. 65988, dated October 5, 1965, should be, and the same hereby is, set aside, vacated and held for naught, and the Secretary of the Commission is hereby directed to change the records of the Commission to show that Western Transfer, Ltd., Grand Junction, Colorado, is the owner of said PUC No. 2355-I.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,  
this 10th day of January, 1966.

et

(Decision No.66564)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
W. R. BOOK, RUSH, COLORADO, FOR )  
AUTHORITY TO LEASE PUC NO. 6338 TO )  
M. DALE BOOK, DOING BUSINESS AS "BOOK )  
TRUCK LINE," 5600 EAST PIKES PEAK )  
AVENUE, COLORADO SPRINGS, COLORADO. )  
-----

APPLICATION NO.21537-Lease

-----  
January 10, 1966  
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Appearances: John P. Thompson, Esq., Denver,  
Colorado, for Lessor and  
Lessee.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-styled application, W. R. Book, Rush, Colorado, owner and operator of PUC No. 6338, seeks authority to lease said operating rights to M. Dale Book, doing business as "Book Truck Line," Colorado Springs, 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, W. R. Book testified that he is the owner of PUC No. 6338; that the purpose of the instant application is to obtain authority and approval from the Commission to lease the entire authority under this number to his son, M. Dale Book, doing business as "Book Truck Line."

Mr. W. R. Book identified Exhibit A as a Lease and Option Agreement between himself and his son, M. Dale Book. He stated that



this Lease and Option Agreement fully sets forth the lease transaction. The Agreement provides for the leasing of PUC No. 6338 until June 1, 1971; that the Lessee agrees to pay the Lessor as rent for said authority 3% of the gross revenue received by Lessee under PUC No. 6338 payable on the 15th day of each month during the term of the Lease and further provides, that the Lessee shall have the option to purchase PUC No. 6338 during the term of the Lease for a total price of \$11,000.00.

Mr. W. R. Book testified that upon approval of the Lease and prior to consummation of the Lease Agreement, all indebtedness of the Lessor in connection with the operations under this authority, shall be fully paid; that the Lessee M. Dale Book has considerable experience in the type of transportation authorized by PUC No. 6338; that he owns and maintains adequate and sufficient equipment to provide for the public need and convenience under this authority; and that he is a respectable and reliable person.

M. Dale Book, the Lessee, testified that he has considerable experience in the transportation field; that he has approximately \$92,000.00 investment in equipment; and that he has a net worth of approximately \$50,000.00; that at the present time by virtue of a Lease Agreement, also with W. R. Book, he operates under PUC No. 420 and I.

M. Dale Book identified Exhibit A as a copy of the Lease and Option Agreement between he and W. R. Book, the Lessor, and that said agreement fully and completely sets forth the entire leasing and option transaction between he and W. R. Book. He further stated that both he and his employees are well acquainted with the rules, regulations and laws of the State of Colorado pertaining to common carriers and will carefully observe 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 the operating experience and financial responsibility of the Lessee were established to the satisfaction of the Commission; and that the leasing of PUC No. 6338 from W. R. Book to M. Dale Book, doing business as "Book Truck Line," Colorado Springs, Colorado, as set forth in lease agreement filed with the Commission on October 14, 1965, 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 W. R. Book, Rush, Colorado, be, and hereby is, authorized to lease PUC No. 6338 to M. Dale Book, doing business as "Book Truck Line," Colorado Springs, Colorado, in accordance with the terms and conditions of lease agreement filed with the Commission on October 14, 1965, and made a part hereof by reference, for a period expiring on June 1, 1971, subject to encumbrances, if any, against said certificate approved by this Commission.

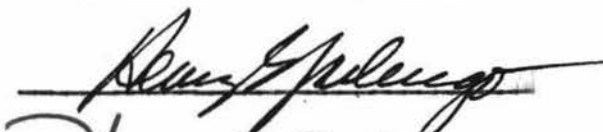
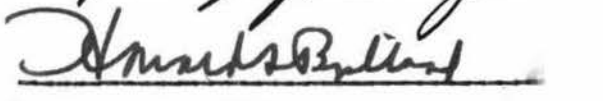
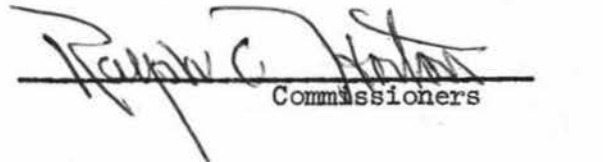
That said Lease shall become effective only if and when said Lessor and Lessee, in writing, have advised the Commission that said certificate has been formally leased, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, 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 lease, 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 lessor shall, upon proper adoption notice, become and remain those of lessee until changed according to law and the rules and regulations of this Commission.

The right of lessee to operate under this Order shall depend upon the prior filing by lessor of delinquent reports, if any, covering operations under said certificate up to the time of leasing 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 10th day of January, 1966.

et

(Decision No. 66565)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE APPLICATION OF CARL A. SWANSON )  
d/b/a SWANSON REPAIR SERVICE REQUEST )  
RELIEF FROM RULE 19 OF THE RULES )  
GOVERNING PRIVATE CARRIERS BY MOTOR )  
VEHICLE )  
- - - - -

CASE No. 1585

- - - - -  
January 10, 1966  
- - - - -

STATEMENT AND FINDINGS

BY THE COMMISSION:

On November 24, 1965, Albert G. Davis, Attorney at Law, filed an application for an on behalf of Carl A. Swanson d/b/a Swanson Repair Service, petitioning for relief from Rule 19 of the Rules and Regulations Governing Private Carriers by Motor Vehicle, such rules providing for the application of rates and charges which shall not be less than those prescribed for Motor Vehicle Common Carriers for substantially the same or similar service. Rates and charges are prescribed in Case No. 1585 for application to those commodities named in the private carrier authority granted to the applicant here.

On August 3, 1965, in application No. 21301-PP, Decision No. 65497, the Commission authorized Carl A. Swanson to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of uncrated appliances including washers, dryers, refrigerators, ranges, and other household appliances, where such transportation shall include installation of said appliance and minor repair incident to installation,

authority restricted to one customer only, to wit: J. C. Penney Company, Inc., Pueblo, Colorado.

The application states the following reasons for requesting waiver of the provisions of Case No. 1585:

"1. In his operation of making deliveries for J. C. Penney Co., Inc., petitioner will not be in competition with any common carrier.

"2. He will be performing the type of services for J. C. Penney Co., Inc., that they would normally perform for themselves.

"3. That the proposed operation will not in any way impair the efficiency of any public service of authorized common carriers adequately serving the same territory over the same general highway route or routes."

On December 27, 1965, the Commission entered its Decision No. 66488, revoking said operating rights for failure of applicant to file a tariff.

In view of the application for relief from the provisions of Rule 19 of the Commission's Rules and Regulations, and the misunderstanding by applicant that the tariff should be on file, the Commission finds that the operating rights granted in Decision No. 65497, dated August 3, 1965 shall be reinstated.

The Commission further finds that the application for relief from Rule 19 of the Commission's Rules and Regulations Governing Private Carriers by Motor Vehicle should be granted for the reasons given by petitioner.

The Commission states and finds that said request is compatible with the public interest and the the operating rights should be reinstated, as set forth in the following order.


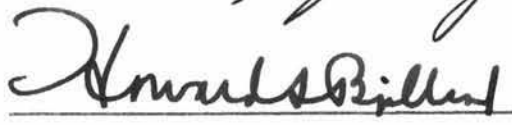

O R D E R

THE COMMISSION ORDERS, That, --

1. The Statement and Findings herein be, and they are hereby, made a part hereof.
2. A tariff shall be filed setting forth the rates, rules and regulations applicable to this operation.
3. Rule 19 of the rules and regulations governing private carriers by motor vehicle shall not apply to the operation of Carl A. Swanson d/b/a Swanson Repair Service, as granted under Decision No. 65497 dated August 3, 1965.
4. The operating rights granted to Carl A. Swanson d/b/a Swanson Repair Service on August 3, 1965 by Decision No. 65497, be reinstated, nunc pro tunc, as of December 27, 1965; Decision No. 66488, dated December 27, 1965, being hereby vacated, set aside, and held for naught.
5. The reinstatement of said operating rights shall become effective upon applicant's filing proper insurance and otherwise complying with all rules and regulations of this Commission, applicable to private carrier permits.
6. This action is without prejudice to a different conclusion at some subsequent time if a complaint is filed relative to a competitive situation which may arise between the service of the said private carrier and that of motor vehicle common carriers.
6. The Order entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force until the further order of the Commission.
7. Jurisdiction is retained to make such further orders as may be necessary and proper.

8. This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado  
this 10th day of January, 1965.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HIGHLINE ELECTRIC ASSOCIATION, A )  
COLORADO CORPORATION, HOLYOKE, COLO- )  
RADO, FOR AN ORDER AUTHORIZING THE )  
ISSUANCE OF SECURITIES AND THE )  
APPLICATION OF THE PROCEEDS THERE- )  
FROM TO CERTAIN LAWFUL PURPOSES. )  
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APPLICATION NO. 21700-  
SECURITIES

-----  
January 11, 1966  
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Appearances: Baxter W. Arnold, Esq., Sterling,  
Colorado, for Applicant;  
J. M. McNulty, Denver, Colorado, and  
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, Highline Electric Association (Highline) seeks authority from this Commission to issue a mortgage note in the principal amount of \$1,782,000, payable to the United States of America, bearing interest at the rate of two per cent (2%) per annum and payable within thirty-five (35) years after the date thereof and approval of an Amending Loan Contract, dated October 6, 1965, increasing the maximum amount which can be borrowed by Highline by \$1,782,000, and a Mortgage made by Highline to the United States of America to secure the payment of the principal and interest on all notes executed by the parties.

The matter was set for hearing after due notice to all interested parties on January 3, 1966 at 10:00 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.

Applicant is a non-profit Colorado corporation and is a member-owned public utility engaged in the business of purchasing,



acquiring, accumulating, transmitting, distributing, furnishing and selling electricity to its members and to non-member consumers on its lines located in the Counties of Logan, Morgan, Phillips, Sedgwick, Washington, Weld and Yuma, all in the State of Colorado. It also serves approximately 600 customers in the State of Nebraska. Net plant investment in Nebraska approximates fourteen percent. Highline was granted by this Commission a certificate of public convenience and necessity for its Colorado service area, as set forth in its Decision No. 59014, Application No. 17431, July 30, 1962.

From evidence adduced at the hearing, Highline needs additional funds for the improvement of its electrical distribution system and for the construction and extension of electric facilities in order to serve adequately the electric consumers within its service territory. To obtain these necessary funds, Highline has entered into loan negotiations with the United States of America acting through the Administrator of the Rural Electrification Administration. The application to the Rural Electrification Administration for additional funds was based upon and supported by engineering data as to construction requirements as set forth in the Cost Estimate and Loan Budget, Exhibit A, introduced into evidence. Applicant's witness testified that the new construction required in the amount of \$1,782,000 would consist summarily as follows:

Distribution facilities to serve		
355 additional consumers	\$574,015	
12.5 Kv Tie Lines	15,470	
Conversion and Line Changes	27,560	
Increase Substation Capacity	32,000	
Transformers, Meters and Regulators	292,630	
Engineering Fees	12,100	
Reimbursement of General Funds	<u>9,600</u>	
Total Distribution:		\$963,375
15 miles of 115 Kv Transmission Line		144,000
Substation Switching Equipment		
115 Kv Switching, Julesburg, Colo.	56,000	
69 Kv Switching, Crook, Colo.	20,000	
20,000 Kva - 115 to 69 Kv, Lamar, Neb.	217,000	
10,000 kva - 115 to 69 kv, Sedgwick, Colo.	165,000	
Substation Sites	4,000	
Right-of-Way Procurement	<u>1,500</u>	463,500

Reimbursement of General Funds	\$154,800
Engineering Fees	30,780
Total Transmission:	793,080
Headquarters Facilities - Reimbursement of General Funds	<u>25,545</u>
Grand Total	<u>\$1,782,000</u>

It is estimated that these expenditures will be made during the years 1966 and 1967.

Applicant's witness testified to the Loan Feasibility Study, Exhibit B, prepared by the engineering firm of Miner & Miner Consulting Engineers, Inc., from data and information supplied by Highline. This exhibit shows that estimated average annual receipts for the year 1967 will amount to \$1,241,606 which, after the payment of all expenses, debt repayment and interest, will result in a margin of receipts over total annual expenditures of \$58,999. As evidence of Highline's financial position, there were introduced into evidence its Balance Sheet as of November 30, 1965 and a Statement of Operations for the 11 months ending November 30, 1965, Exhibit F. The balance sheet shows that Highline has long term debt of \$3,941,017 after subtraction of \$890,586 of prepayments to the Rural Electrification Administration. Total equity amounts to \$1,448,323 or approximately 27% of total capitalization. These equities for the most part reflect the \$890,586 of advance payments to the Rural Electrification Administration and approximately \$600,000 of restricted funds and other investments. Operating revenues for the 11 months ending November 30, 1965 amounted to \$863,840. Patronage capital and operating margins for this period amounted to \$152,426 after providing for all expenses, depreciation, interest and other deductions. This amount was approximately \$50,000 less than for the same period of the previous year as result of lesser sales for irrigation pumping.

Applicant's witness stated that in his opinion the debt service payments on this additional loan of \$1,782,000 would not be an undue

burden on Highline Electric Association. He stated also that Highline is current in its payments of interest and repayment of debt.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the issuance of the mortgage note made by Highline Electric Association to the United States of America for \$1,782,000, Exhibit D herein, should be authorized and approved.

That the Amending Loan Contract between Highline Electric Association and the United States of America dated as of October 6, 1965, Exhibit C herein, should be authorized and approved.

That the Mortgage by Highline Electric Association to the United States of America, Exhibit E herein, should be authorized and approved.

That within one hundred twenty (120) days of the execution of the Mortgage Note for \$1,782,000 authorized herein, Applicant should file with the Commission one conformed copy of such executed note and of each other document made in connection therewith.

That the issuance of the Mortgage Note of \$1,782,000 is not inconsistent with the public interest and that the purpose or purposes thereof are permitted by and are consistent with the provisions of Chapter 115, Colorado Revised Statutes, 1963.

### O R D E R

#### THE COMMISSION ORDERS:

That the issuance of a Mortgage Note for \$1,782,000 by Highline Electric Association to the United States of America, Exhibit D, be, and the same is hereby, authorized and approved.

That the Amending Loan Contract between Highline Electric Association and the United States of America dated as of October 6, 1965, Exhibit C, be, and the same is hereby, authorized and approved.

That the Mortgage made by Highline Electric Association to


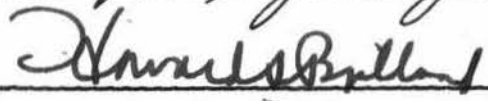
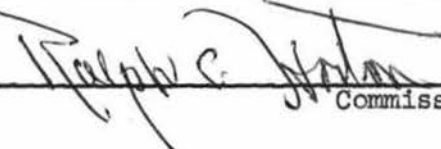
the United States of America, Exhibit E, be, and the same is hereby, authorized and approved.

That within one hundred twenty (120) days of the execution of the Mortgage Note for \$1,782,000 authorized herein, Highline Electric Association shall file with the Commission one conformed copy of such executed note and of each other document made in connection therewith.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
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Commissioners

Dated at Denver, Colorado,  
this 11th day of January, 1966.

ls

(Decision No. 66567)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION )  
OF ERNEST H. SMITH, BOX 245, ECKLEY, )  
COLORADO, FOR A CLASS "B" PERMIT )  
TO OPERATE AS A PRIVATE CARRIER )  
BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 21486-PP  
SUPPLEMENTAL ORDER

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January 11, 1966  
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Appearances: Ernest H. Smith, Eckley,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On December 23, 1965, the Commission entered its Decision No. 66501 in the above-styled application, revoking operating rights granted to the above-styled applicant by Decision No. 66024, dated October 8, 1965, for failure of said applicant to comply with requirements set forth in said Decision No. 66024.

It now appears that applicant has complied with all requirements of Decision No. 66024, and requests reinstatement of operating rights granted thereby.

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. 66501, dated December 23, 1965, be, and the same hereby is, vacated, set aside, and held for naught, as of said

23rd day of December, 1965, and operating rights heretofore granted to the above-styled applicant by Decision No. 66024, dated October 8, 1965, be, and the same hereby are, restored to active status, as of said date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry S. Gaudin*  
*James B. Bull*  
*Ralph C. Holm*  
Commissioners

Dated at Denver, Colorado,  
this 11th day of January, 1966.

ls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
JOSEPH KIDD, DOING BUSINESS AS )	
"AMERICAN WAREHOUSE COMPANY," 351 )	
WEST 45TH AVENUE, DENVER, COLORADO, )	<u>APPLICATION NO. 21695-PP</u>
FOR A CLASS "B" PERMIT TO OPERATE )	
AS A PRIVATE CARRIER BY MOTOR )	
VEHICLE FOR HIRE. )	
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-----  
January 11, 1966  
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Appearances: Truman A. Stockton, Esq.,  
Denver, Colorado, for Applicant;  
Joseph F. Nigro, Esq., Denver,  
Colorado, for Weicker Transfer  
and Storage Co., as its Interest  
may Appear and as a Protestant.

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 general commodities, between American Warehouse Company, on the one hand, and on the other, points within twenty miles thereof, restricted (1) to shipments either originating or terminating at the warehouse, (2) to contracts with only customers who have stored at the warehouse, (3) to equipment not to exceed  $2\frac{1}{2}$  ton capacity, and (4) not to exceed the use of more than three pieces of equipment.

Said application, pursuant to prior setting after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, Denver, Colorado, at ten o'clock A. M., January 7, 1966, and at the conclusion of the evidence, the matter was taken under advisement.

At the commencement of the hearing counsel for applicant moved that the application be amended by further restricting the authority sought thereunder in the following respect, to-wit: (a) that points in



Boulder County be excepted, (b) that points on and west of a line drawn north and south along Kipling Street be excepted, excluding from said exception, however, that applicant may serve the Jefferson County School District and the State Home and Training School at Wheatridge, Colorado, and (c) that service to International Paper Company be excepted. The motion is restrictive in substance and there being no objection thereto was granted subject to confirmation by the Commission. The Commission confirms the granting of the said motion.

The applicant testified in support of the application in substance that he operates a public warehouse containing some 20,000 square feet which warehouse is served by the Colorado & Southern Railway and also by motor vehicle carriers; that such warehouse is primarily used for industrial use and products such as plastic pipe, janitorial supplies and chemicals; that in his operation bulk shipments are broken down for the warehouse customer and repackaged according to the customers' instructions; that customers of the warehouse customer call directly for deliveries and give instructions as to when and how the same should be made; that some business has been lost because the applicant cannot provide prompt and efficient delivery service in conjunction with his warehousing operations; that most of his competitor warehousemen do have transportation authorities which can be used to serve their own customers; and, that common carriers available are too slow since most of his customers demand delivery on a prompt and usually urgent basis which places him at a great disadvantage. The applicant sponsored Exhibit A which is a financial statement and which appears to be proper.

On cross-examination by counsel for protestant, applicant testified that he serves about 15 accounts; that his warehouse is generally full; that he will start with a  $1\frac{1}{2}$  ton truck and add new equipment as necessity requires.

R. G. Lindquist also testified in support of the application to the effect that he is a salesman for Swift and Company,



Chemical Division, dealing in soaps, fatty acids, detergents, etc. and basically chemicals for industrial use which are derived from meat packing operations; that his needs are now handled by American Warehouse Company as it has a good warehouse, a good location, and provides excellent service; that such warehouse is used for local storage as local customers demand delivery on an urgent basis and such customers order direct from the warehouse; that this method of storage in conjunction with such method of delivery service is advantageous in that the customers receive satisfactory service and as he is a traveling salesman it does not require his presence for his customers to order and receive prompt deliveries; that applicant handles about one to three orders daily in Denver and one to three orders out of the city having a minimum of 300 to a maximum of 6,000 pounds per shipment; and, that the service has been excellent and his company will enter into a contract with the applicant for transportation service as well as warehousing.

On cross-examination, this witness testified that services were formerly provided by K P Moving and Storage and he has in the past also used Curnow Transportation Co. Inc. and Bankers Warehouse Company. The witness testified he had never used the services of Weicker Transfer & Storage Co., the protestant, and that the applicant has handled some 65 to 70 deliveries since November, which service was very satisfactory as no complaints were received from any of the customers.

Roy D. Stewart also testified in support of the application stating that his company is engaged in the handling of petroleum products, oils, greases, etc.; that the applicant packages for his company and makes from one to three deliveries daily; that in addition to making the deliveries, applicant on return trips picks up empty drums for delivery back to the warehouse; that his customers call direct which is an advantage to him as he is out in the territory;

that the services of the applicant have been excellent; that his customers demand prompt and efficient service as generally they are inadvertent and need and want immediate delivery; that he has specially instructed the applicant in the packaging of his specific products and that applicant when called by customers is in a position to handle all details; that if the application is granted he will enter into a contract for transportation as well as warehouse service.

Hillar Nolette, associated with the Travenol Laboratories Inc., testified that his company manufactures plastic apparatus for administering medication and also intravenous injection medicines; that his customers consist mainly of hospitals and such type of business; that the method of operation described by the first two witnesses is substantially the same with regard to his operations and needs; that his customers demand service on an emergency basis; that for the first time in his experience he has been able to receive the specialized services such as offered by the applicant; that applicant invoices the customers and makes deliveries and sends invoices to him; that he needs the services offered by the applicant.

C. R. Redcorn testified that he is connected with Red Top Maintenance Service Inc., which furnishes janitorial supplies and related products to industry; that the type of service required and the method of operation desired is the same as that testified to by the two first witnesses; that he has used local common carriers but the service of the applicant has been exceptionally better than such service; that he has had no complaints from any customers while using the applicant while prior thereto he has had complaints.

On cross-examination, this witness testified that he has at times used Acme Delivery Service and Speedy Messenger Service for shipments up to 1500 pounds.

The protestant offered no evidence.

A motion was made by counsel for protestant to dismiss the application on the grounds that applicant was illegally transporting

commodities prior to the date of temporary authority issued to applicant, December 16, 1965. The applicant was recalled for further evidence and testified to the effect that he originally used a carrier who claimed to have proper authority and whom he found by checking in the newspapers; that when he became aware of the fact that said carrier might not have the proper authority he undertook to remedy the situation and said carrier was dismissed around December 1, 1965. On cross-examination the applicant testified that he has had a truck since 1965, had been using said truck, and admitted that he did fill in before, for the carrier, whom he had hired; that said carrier's name was Ed Jones and his address was in the vicinity of 23rd and York Street, Denver, Colorado.

The Commission finds that the motion to dismiss should be denied as it appears that the alleged illegal operations were few and under stress, that the applicant was acting in good faith, and because of other present extenuating circumstances.

The Commission further finds 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; and that the granting of authority, as provided in the following Order, will be in the public interest and such authority should be granted.

#### ORDER

##### THE COMMISSION ORDERS:

That motion to dismiss by protestant be, and the same hereby is, denied.

That Joseph Kidd, doing business as "American Warehouse Company," Denver, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of general commodities, between American Warehouse Company, on the one hand, and on the other, points within twenty miles thereof (a) excepting points in Boulder County, (b) excepting points on and west of a line drawn north and south along Kipling Street, excluding from said exception, however, that applicant may serve Jefferson County School District and the State Home and Training School at Wheatridge, Colorado, and (c) excepting service to International Paper Company, restricted (1) to shipments either originating or terminating at the warehouse, (2) to contracts with only customers who have stored at the warehouse, (3) to equipment not to exceed  $2\frac{1}{2}$  ton capacity, and (4) not to exceed the use of more than three pieces of equipment; 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.


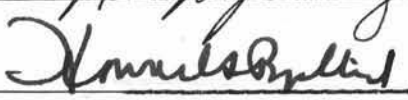
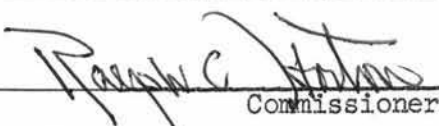
That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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.

Dated at Denver, Colorado,  
this 11th day of January, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

THE MOUNTAIN STATES TELEPHONE &  
TELEGRAPH COMPANY  
931 14TH STREET,  
DENVER, COLORADO,

Complainant,

vs.

EXCEL SMITH AND SARAH E. SMITH,  
TRINCHERA, COLORADO,

Respondents.

CASE NO. 5296  
SUPPLEMENTAL ORDER

-----  
January 11, 1966  
-----

Appearances: Denis G. Stack, Esq., Denver,  
Colorado, for Mountain States  
Telephone and Telegraph Company,  
Complainant;  
Dean C. Mabry, Esq., Trinidad,  
Colorado, for Excel Smith and  
Sarah E. Smith, Respondents.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The above-entitled matter 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.

On August 5, 1965, the Commission entered its Decision No. 65522 in the above-styled Case directing Respondents to file a brief with the Commission in support of Respondents' position that the Public Utilities Commission has no jurisdiction to consider the within matters and directing Complainant to file a reply brief. Briefs by the parties have been filed in compliance with said Decision No. 65522.

The Examiner herein has filed with the Commission a report of a legal opinion with a recommendation as to the issue of jurisdiction of the Commission raised in this matter and a recommendation as to

whether or not the Complaint and Petition filed by Mountain States Telephone and Telegraph Company alleges a matter over which the Commission may take jurisdiction.

Heretofore, the following exhibits have been received:

Complainant's Exhibit 1 -- A reporter's transcript of testimony of Excel Smith and Court's ruling of February 3, 1965 in Case No. 20273 in the District Court in and for the County of Las Animas, State of Colorado, in case entitled Excel Smith and Sarah E. Smith, Plaintiffs vs. Mountain States Telephone and Telegraph Company, Defendant.

Respondents' Exhibits A and B -- Orders of Court in the above referred to District Court case.

By way of introduction the Report of the Examiner states that after the filing of the District Court Case by the Smiths vs. Mountain States Telephone and Telegraph Company, and after hearing on preliminary injunction as recorded in Complainant's Exhibit 1, the Mountain States Telephone and Telegraph Company (hereinafter referred to as "phone company") filed on April 13, 1965 a Petition and Complaint with the Public Utilities Commission, alleging in substance that the phone company did on January 5, 1965 suspend and disconnect the telephone service of the Smiths in accordance with the phone company's tariff on file with the Commission for non-payment of a three-month arrearage in the sum of \$218.74 owed by the Smiths for phone service. At this time there existed a dispute between the phone company and the Smiths as to an amount which the phone company should pay for a right-of-way for underground wires placed in the Spring of 1964 across land belonging to the Smiths. The Smiths had taken the position that they would not pay for phone service until the amount of their phone bill accumulated to the sum equal to the amount demanded by them for the right-of-way across their land.

The phone company's Complaint and Petition also states that a dispute as to the proper price for the right-of-way is subject to litigation in the District Court, and in addition, the Smiths are seeking



through Court action monetary reimbursement for alleged damages resulting from termination of phone service.

As shown from Exhibit B, the Smiths also petitioned the District Court for an Order for restoration of their phone service and the Court has ordered restoration but also required the Smiths to deposit the amount of arrearage with the Registry of the Court and also ordered the Smiths to pay current phone bills within ten days of receipt. The Court designated this as a temporary order pending final determination of the matters in controversy between the parties.

By the Petition and Complaint filed with the Commission by the phone company, it is requested that the Commission issue a final order and ruling that the phone company has a right and duty to disconnect and terminate a subscriber's service where the subscriber attempts to offset unliquidated or disputed claims for damage against admitted and undisputed charges for phone service, and that the suspension and termination of the Smiths' phone service was proper, being in accordance with the phone company's tariffs and the statutes and Constitution of the State of Colorado.

The issues herein are: Does the Public Utilities Commission have jurisdiction under these circumstances to proceed with the hearing on the merits and based upon evidence, enter an Order pertaining to the propriety or lawfulness of the phone company's action in terminating phone service, and is the Petition and Complaint filed by the phone company in this case, a proper Petition and Complaint as provided by law?

The basic purpose and nature of the Complaint and Petition filed by the phone company with the Commission must first be considered. Is it a proper Complaint and Petition and does it present an issue which the Commission has the authority and jurisdiction to resolve?

On this question, reference is made to CRS 1963 115-6-8(1) as follows:

115-6-8(1) Complaints-service-notice of hearing. Complaint may be made by the commission on its own motion, or by any corporation, person, chamber of commerce, board of trade, or any civic, commercial, mercantile, traffic, agricultural, or manufacturing association or organization, or any body politic or municipal corporation, by petition or complaint in writing, setting forth any act or thing done or omitted to be done by any public utility, including any rule, regulation, or charge heretofore established or fixed by or for any public utility, in violation, or claimed to be in violation, of any provision of law or of any order or rule of the commission. No complaint shall be entertained by the commission, except upon its own motion, as to the reasonableness of any rates or charges of any gas, electrical, water, or telephone corporation, unless the same be signed by the mayor or the president or chairman of the board of trustees or a majority of the council, commission, or other legislative body of the county, city and county, or city or town, if any, within which the alleged violation occurred, or not less than twenty-five customers or prospective customers of such public utility. All matters upon which complaint may be founded may be joined in one hearing, and no motion shall be entertained against a complaint for misjoinder of causes of action or grievances or misjoinder or nonjoinder of parties. In any review by the courts of orders or decisions of the commission the same rule shall apply with regard to the joinder of causes and parties. The Commission shall not be required to dismiss any complaint because of the absence of direct damage to the complainant or complainants.

It appears clear from this statute that a Complaint may be made by any person, corporation, etc. by Petition and Complaint in writing setting forth any act or thing done or omitted to be done by any public utility in violation, or claimed to be in violation, of any provision of law or any Order or rule of the Commission.

Referring to the Rules of Practice and Procedure before the Public Utilities Commission of the State of Colorado, and particularly to Rule 9(f) and Rule 10(a), it seems quite apparent that the Complaint envisaged by the statutory provision above set forth, is a Complaint against a public utility.

In this case, the Complaint and Petition does not, in fact, allege any action or anything to be done or omitted to be done by the phone company in violation of any provision of law, or any Order or



rule of the Commission or in violation of the phone company's tariff. Rather, it does allege that the phone company, with respect to the alleged facts, acted properly and lawfully in accordance with its tariffs on file with the Commission. The phone company thereupon requests the Commission after hearing, to issue a final Order and ruling to state in effect, that the action taken by the phone company was proper and lawful. It must be concluded that the above does not constitute the proper subject matter for Complaint and Petition filed with this Commission. The Complaint and Petition under consideration, if anything, is a complaint by a public utility against a customer or subscriber for failure to pay a bill for service, and as such, it has no legal standing before the Commission.

In paragraph 18 of the Complaint and Petition of the phone company, it is stated that the matter of proper suspension of the Smiths' telephone service and the lawfulness of said suspension in accordance with the filed and approved regulations and statutes of the State of Colorado, must be determined at least, in the first instance, by the Public Utilities Commission. This is unquestionably true but only in those circumstances when the issue is presented by proper Complaint and Petition. If the Smiths were the Complainants against the phone company before the Commission and were alleging the suspension of their service was improper and in violation of the phone company's tariff and were therefore, requesting restoration, the Commission certainly would have the jurisdiction and statutory power to hear the facts and make a determination as to the propriety or lawfulness of the suspension and termination of the phone service. It would be in this instance and under these circumstances that the Commission's jurisdiction to determine complaints alleging a violation against a public utility is exclusive in the first instance.

The Smiths, however, filed a suit in District Court alleging in substance that their phone service was terminated unlawfully and

that as a result, damages were suffered and their prayer was for damages and an Order directing the phone company to restore their service. CRS 1963 115-7-2 specifically provides for Court determination in this instance and under these alleged facts. When the phone service of the Smiths was terminated, which they claim was done unlawfully, the Smiths had the election of forums. They chose Court jurisdiction as the forum which had the power not only to award damages but to restore their phone service. The District Court of Las Animas County assumed jurisdiction and issued certain Orders as heretofore described and the matter is pending at the present time in that Court.

The Complaint and Petition filed herein is unique in its purpose but its purpose is not proper subject matter for a Complaint and Petition as provided in CRS 1963 115-6-8(1) supra.

The Commission, having considered the record, files, exhibits and written report of the Examiner herein states and finds that the Commission has both the authority and jurisdiction to interpret and make certain findings and orders with reference to the meaning and application of tariff provisions filed by public utilities, if, however, the issue is presented properly; that in this case, the Petition and Complaint filed by the phone company as a Complainant, does not comply with the provisions of CRS 1963 115-6-8(1) supra, and that it, therefore, does not present a cause over which the Public Utilities Commission could take jurisdiction; and that the motion for dismissal as contained in Respondents' Special Answer filed with the Commission on May 10, 1965, should be granted and Case No. 5296 should be dismissed.

#### ORDER

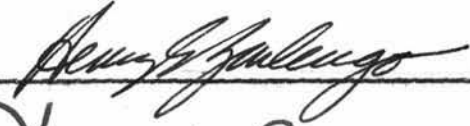
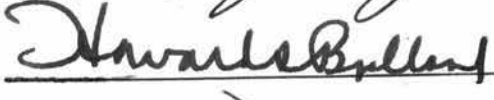
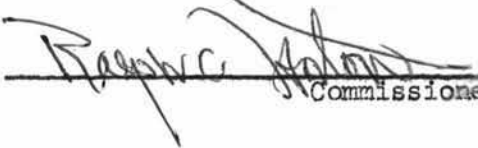
##### THE COMMISSION ORDERS:

That motion for dismissal as contained in Respondents' Special Answer filed with the Commission on May 10, 1965, be, and the

same hereby is, granted.

That Case No. 5296 be, and the same hereby is, dismissed.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 11th day of January, 1966.

ls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF	}	
William T. Sauer		
Rte 3 Box 398		PERMIT NO. B-965
Greeley, Colorado80630		

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January 11, 1966  
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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.

ORDER

THE COMMISSION ORDERS:

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry E. Zaclungo*  
*Howard S. Bjelland*  
*Ralph C. Johnson*

Commissioners

Dated at Denver, Colorado,  
this 11th day of January 1966  
et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
Paul J. Lattner )  
3226 So. Emporia ) PERMIT NO. B-6542  
Denver, Colorado 80222 )  
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January 11, 1966  
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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.

ORDER

THE COMMISSION ORDERS:

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

December 21, 1965

until

June 21, 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. Zaichner*  
*Howard S. Bjelland*  
*Ralph G. Anderson*

\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 11th day of January 1966.  
et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
Lew Paul Geisendorfer  
P O Box 197  
Granby, Colo. 80446

PUC No. 5767-I

January 11, 1966

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.

ORDER

THE COMMISSION ORDERS:

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

December 13, 1965

until June 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. Norton*

Commissioners

Dated at Denver, Colorado,  
this 11th day of January 1966  
et



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
Lind & Hill Scenic Colorado ) PUC Nos. 77, 191 & 193  
Tours, Inc., dba AA Tours )  
3654 Marion St., Denver 80205 )  
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January 11, 1966  
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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.

ORDER

THE COMMISSION ORDERS:

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

January 13, 1966

until July 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. Hordal*

\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 11th day of January 1966  
et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF

Hobert JUDD DOING BUSINESS AS, HOBERT  
JUDD PUMP SERVICE, BURLINGTON,  
COLORADO 80807

PERMIT NO. M-134

January 13, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 11/25/65

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry C. Zaehner*  
*Howard S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 13 day of January 1966



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF }  
MERLIN D HOWARD, DOING BUSINESS AS } PERMIT NO. M-419  
H & C PRODUCTS, 3099 SOUTH HOBART WAY }  
DENVER, COLORADO 80227 }

January 13, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 12/14/65

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry C. Zachary*  
*Howard S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 13 day of January 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
RAY W. DAVIDSON, ROUTE 3, BOX 585, )  
FORT COLLINS, COLORADO 80521 ) PERMIT NO. M-997

January 13, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective December 20, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry C. Ziehlings*  
*Howard S. Bjelland*  
*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado,  
this 13th day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF }  
MONTROSE CONCRETE PRODUCTS COMPANY, }  
P O BOX 573, MONTROSE, COLORADO 81401 } PERMIT NO. M-1194

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January 13, 1966 --

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 12/17/65

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,  
this 13 day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
CLYDE J OPOLE DOING BUSINESS AS, )  
MOBILE TOOL SERVICE, 2110 JAMES DRIVE ) PERMIT NO. M-1872  
LOVELAND COLORADO 80537 )  
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January 13, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

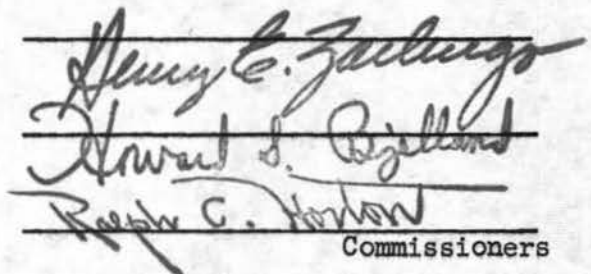
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 12/26/65

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 13 day of January 1966



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF

LEW PAUL GEISENDORFER, P O BOX 197,  
GRANBY, COLORADO 80446

PERMIT NO. M-3486

January 13, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

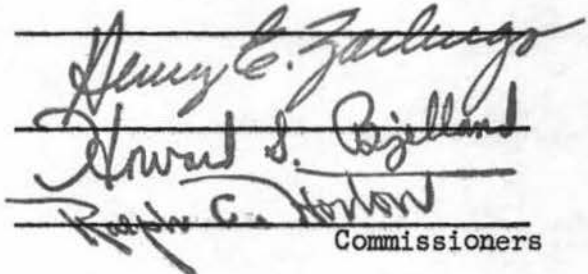
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective December 13, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 13th day of December 1966

mmc

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
HARRY CORNWELL, MERINO, COLORADO,  
80741

PERMIT NO. M-3901

January 13, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 12/8/65

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry C. Ziehl*  
*Howard S. Bjelland*  
*Ralph C. Norton*  
Commissioners

Dated at Denver, Colorado,  
this 13 day of January 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
LYNN V. SMITH, 2539 SOUTH JOSEPHINE ) PERMIT NO. M-4015  
STREET, DENVER, COLORADO 80210 )  
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January 13, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

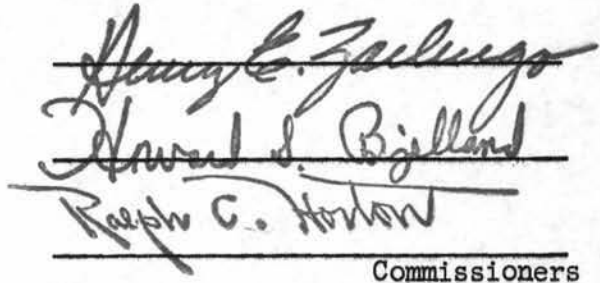
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 11/20/65

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 13th day of January 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
FLORENCE AND C. V. MASH, DOING BUSINESS }  
AS, MASH APPLIANCE COMPANY, 15 SOUTH } PERMIT NO. M-4429  
CASCADE AVENUE, MONTROSE, COLORADO, }  
81401 -----

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January 13, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

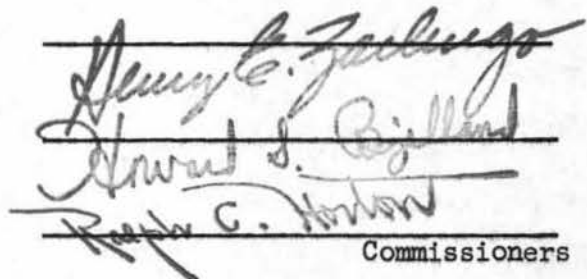
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 11/20/65

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 13 day of January 1966



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF }  
GEORGE A TORGLER, 520 LINCOLN STREET, } PERMIT NO. M-5063  
ORDWAY, COLORADO 81063 }

January 13, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 11/19/65

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry C. Zeisinger*  
*Howard S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 13th day of January 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
MATT ROTH, GARFIELD, )  
COLORADO. )

PERMIT NO. M-5533

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January 13, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

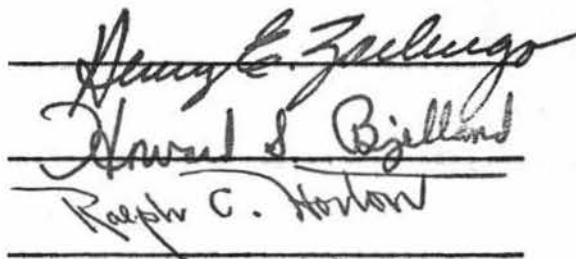
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,  
this 13th day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
CHARLES R JOHNSON AND WALTER JOHNSON ) PERMIT NO. M-6480  
SHAWNEE, COLORADO )  
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January 13, 1965  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

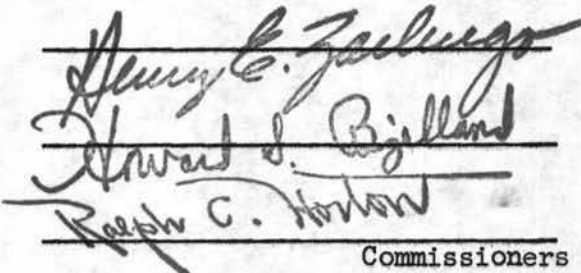
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 1/4/66

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 13th day of January 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
LAWRENCE J GILL, 2259 GRAY STREET, )  
DENVER, COLORADO 80214 ) PERMIT NO. M-6962  
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January 13, 1966  
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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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 12/10/65

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry C. Zaehner  
Howard S. Bjelland  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,  
this 13th day of January 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF

HUGH G. MILES, DOING BUSINESS AS,  
SKYLINE PRODUCE, BOX 132, STEAMBOAT  
SPRINGS, COLORADO 80477

PERMIT NO. M-7712

January 13, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 12/13/65

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry E. Zuckerman*  
*Howard S. Bjelland*  
*Ralph C. Anderson*  
Commissioners

Dated at Denver, Colorado,  
this 13th day of January 1966



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
GLENN S LAWSON, CALHAN, COLORADO  
80808

} PERMIT NO. M-7779

January 13, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 12/24/65

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry C. Zisch*  
*Howard S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 13th day of January 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
PHILIP GRAM, 1146 CARR, LAKEWOOD  
COLORADO 80226

PERMIT NO. M-7998

January 13, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 11/10/65

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry E. Zaehner*  
*Howard S. Bjelland*  
*Ralph C. Norton*  
Commissioners

Dated at Denver, Colorado,  
this 13th day of January 1966



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
H. HAL SVENDSEN, DOING BUSINESS AS , ) PERMIT NO. M-8202  
HORSESHOE SALES AND SERVICE, BAILEY, )  
COLORADO 80421 )  
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January 13, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

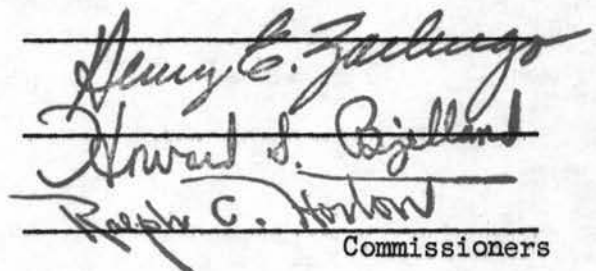
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 12/2/65

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 13th day of January 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF

DAVID L. JONES, BOX 391, LIMON,  
COLORADO 80828

PERMIT NO. M-8367

JANUARY 13, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 11/12/65

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry C. Zaehner*  
*Howard S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 13th day of January 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF }  
ADELIO MARTINEZ, ROUTE 3 BOX 351, } PERMIT NO. M-8386  
LONGMONT, COLORADO 80501 }  
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January 13, 1966 --

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 11/9/65

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,  
this 13th day of January 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF

ROSS AND ALBERTA STEWART, DOING  
BUSINESS AS , JIM'S WRECKING YARD,  
FIRST AND EMERSON STREET, HOLYOKE,  
COLORADO 80734 - - - - -

PERMIT NO. M-9750

- - - - -  
January 13, 1965 - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

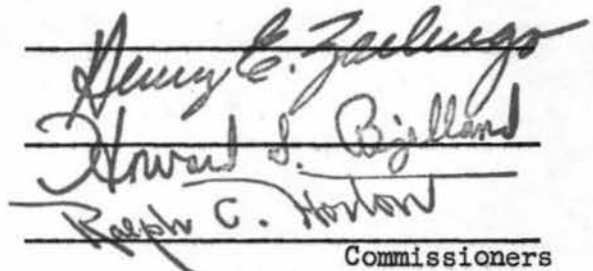
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 12/5/65

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 13th day of January 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
W C ROBERTS LUMBER COMPANY INC, )  
6001 CANYON EXPRESS WAY, AMARILLO, ) PERMIT NO. M-10179  
TEXAS )  
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January 13, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

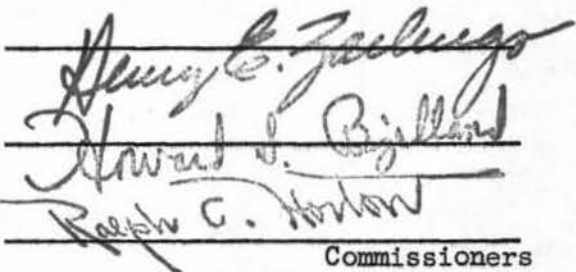
The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 12/3/65

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 13th day of January 1966



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
VERN'S INC, POUDRE CANYON ROUTE, )  
FORT COLLINS, COLORADO 80521 ) PERMIT NO. M-10495  
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January 13, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

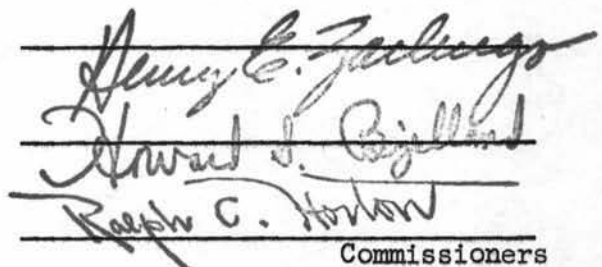
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 11/12/65

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 13th day of January 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF	}	PERMIT NO. M-10790
W C KIRK, BOX 12, CANTON, OKLAHOMA		

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January 13, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

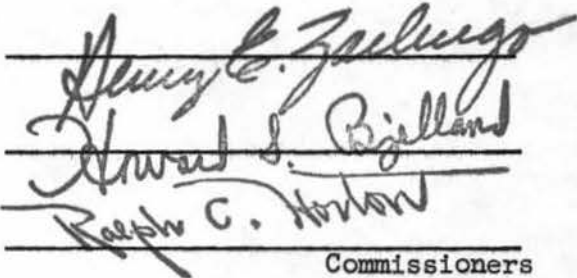
The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 11/13/65.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 13th day of January 1966



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
CARL J ELMLADE, DOING BUSINESS AS,  
GREELEY SEED COMPANY, 601 8th  
STREET, GREELEY, COLORADO 80630

} PERMIT NO. M-11063

January 13, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 12/23/65

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry E. Zarlengo*  
*Howard S. Bjelland*  
*Ralph C. Hinton* Commissioners

Dated at Denver, Colorado,  
this 13th day of January 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
CROSS MUSIC CENTRE, 1821 CAPITAL AVE. )  
NUE, CHEYENNE, WYOMING ) PERMIT NO. M-11170

January 13, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 11/18/65

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry C. Zaehner*  
*Howard S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 13th day of January 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
PINNACLE EXPLORATIONS INC, 1000 )  
PARK AVENUE, NEW YORK, NEW YORK ) PERMIT NO. M-11182  
10001 )  
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January 13, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

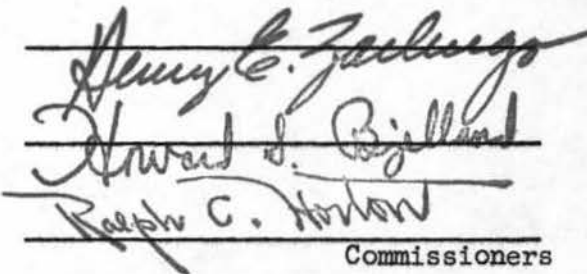
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 11/25/65

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 13th day of January 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF

CALVIN A HYDE, BOX 923, DURANGO,  
COLORADO 81301

PERMIT NO. M-11194

January 13, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 12/18/65

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,  
this 13th day of January 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF	}	
CECIL FULLER, DOING BUSINESS AS,	}	
B AND C AUTO SALVAGE, WEST HIGHWAY	}	PERMIT NO. M-11281
50, SYRACUSE, KANSAS 67878	}	

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January 13, 1965  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

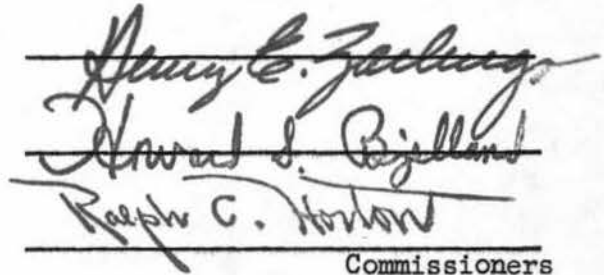
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective 12/27/65

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 13 day of January 1966



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN B. ESPINOSA, 1429 NEWCOMB )  
AVENUE, MONTE VISTA, COLORADO, FOR )  
AUTHORITY TO TRANSFER PERMIT NO. )  
B-5930 TO JOE MARQUEZ AND WALTER )  
MARQUEZ, DOING BUSINESS AS "MARQUEZ )  
BROS.," BOX 804, MONTE VISTA, )  
COLORADO. )  
-----

APPLICATION NO. 21622-PP  
TRANSFER

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January 13, 1966  
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Appearances: John B. Espinosa, Monte Vista,  
Colorado, pro se;  
Joe Marquez, Monte Vista,  
Colorado, for transferees.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, John B. Espinosa, Monte Vista, Colorado, was granted a Class "B" permit to operate as a private carrier by motor vehicle for hire, Permit No. B-5930, for the:

Transportation of baled hay, grain, and other farm products, from point to point within a radius of fifty miles of Monte Vista, Colorado, with no town-to-town service, and no point-to-point service within that portion of said fifty-mile radius west of a line drawn north and south through LaGarita, Colorado.

By the above-styled application, said permit-holder seeks authority to transfer said operating rights to Joe Marquez and Walter Marquez, doing business as "Marquez Bros.," Monte, 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 of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, John B. Espinosa, the transferor herein, appeared and testified in support of the granting of the instant application, stating that the consideration for the transfer is \$1500.00, \$1200.00 of which has been paid and the balance submitted upon approval of the within transfer; that there are no outstanding debts or encumbrances against the motor vehicle operation of said Permit No. B-5930.

Joe Marquez, one of the transferees herein, also appeared and testified in support of the granting of the instant application; stating that he and his co-partner have entered into an agreement to acquire and operate Permit No. B-5930 from the transferor herein; that he and his co-partner will have sufficient equipment, net worth and operating experience with which to render and continue operations under said permit.

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.

#### ORDER

##### THE COMMISSION ORDERS:

That John B. Espinosa, Monte Vista, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to Permit No. B-5930 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Joe Marquez and Walter Marquez, doing business as "Marquez Bros.," Monte Vista,



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 transferees, in writing have advised the Commission that said permit has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of the Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application. 2

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Dated at Denver, Colorado,  
this 13th day of January, 1966.

Henry E. Phillips  
Donald B. Miller  
Ralph C. Hutton  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION )  
OF DON JOHNSON, 2123 EAST ST. VRAIN, )  
COLORADO SPRINGS, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUC NO. 2197 )  
TO JOHN M. BECKER, DOING BUSINESS )  
AS "JOHN'S TRASH SERVICE," 2390 )  
EAST BOULDER, COLORADO SPRINGS, )  
COLORADO. )  
-----

APPLICATION NO. 21646-Transfer-  
Amended

-----  
January 13, 1966  
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Appearances: Thomas D. Gresham, Esq.,  
Colorado Springs, Colorado,  
for Transferor and Transferee

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Don Johnson, Colorado Springs, Colorado, was  
granted a certificate of public convenience and necessity, PUC No. 2197,  
authorizing operation as a common carrier by motor vehicle for hire, for:

Transportation of ashes, trash, dirt, rock, fertilizer,  
rubbish, brush, and other waste materials, between  
points within a radius of ten miles of the corner  
of Pikes Peak and Nevada Avenues, in Colorado Springs,  
Colorado, and the city dump, located approximately .8  
of a mile from the City Limits of Colorado Springs,  
and any dump which is now or which may hereafter be  
located within the area above described; ashes, trash,  
dirt, rock, fertilizer, rubbish, brush, and other  
waste materials, between points within the corporate  
limits of Colorado Springs, Colorado, and the City  
Dump, now or hereafter designated by appropriate City  
officials of the City of Colorado Springs, Colorado.

By the above-styled application, said certificate-holder seeks  
authority to transfer PUC No. 2197 to John M. Becker, Colorado Springs,  
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 Don Johnson, the transferor herein, appeared and testified in support of the granting of the instant application, stating that he has entered into an agreement with the transferee to sell PUC No. 2197 and certain equipment for the sum of \$1500.00, which, in his opinion, is fair and reasonable; that there are no outstanding obligations or liens against either the authority or business conducted under that authority by him.

John M. Becker, the transferee herein, also appeared and testified in support of the granting of the instant application, stating that he will have ample and suitable equipment, sufficient net worth and operating experience with which to conduct said operation; that he intends to engage in the ash and trash removal operation as provided by PUC No. 2197 under the trade name of "John's Trash Service," and that a trade name affidavit would be promptly filed as provided by law.

At the conclusion of the hearing, on behalf of the transferee, Mr. Thomas Gresham moved to amend the application to reflect that the transferee is doing business under the trade name of "John's Trash Service." The amendment was allowed and the application was considered as so amended.

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 Don Johnson, Colorado Springs, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 2197 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to John M. Becker, doing business as "John's Trash Service," Colorado Springs, 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 the Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.


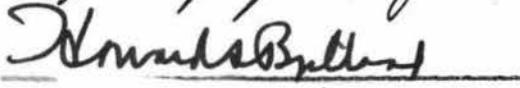

The tariff of rates, rules and regulations of transferor shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

The right of transferee to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

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

Dated at Denver, Colorado,  
this 13th day of January, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THE ATCHISON, TOPEKA AND SANTA FE )  
RAILWAY COMPANY AND REA EXPRESS )  
FOR PERMISSION TO CLOSE STATION AT )  
SWINK, OTERO COUNTY, COLORADO, AS )  
AN AGENCY STATION. )  
-----

APPLICATION NO. 21656

RE: CLOSING OF STATION AT SWINK, )  
OTERO COUNTY, COLORADO, AS AN AGENCY )  
STATION BY THE ATCHISON, TOPEKA AND )  
SANTA FE RAILWAY COMPANY AND REA )  
EXPRESS. )  
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INVESTIGATION AND SUSPENSION  
DOCKET NO. 560

-----  
January 13, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On November 19, 1965, The Atchison, Topeka and Santa Fe Railway Company and REA Express, by their Attorneys, filed an application under Rule 6 of the Commission's Rules and Regulations Pertaining to Railroads Operating in the State of Colorado.

Request was made for an Order authorizing discontinuance of the Agency Station at Swink, Otero County, Colorado, effective January 15, 1966, and thereafter to handle all business at the Agency Station of LaJunta, located 4.9 miles to the east.

Applicant railroad indicates that most of the revenue at this station results from carload business which can be readily handled at another station; that revenues creditable to the station in the period 1962 to 1964 has changed from a profitable operation to an unprofitable station; that existing rail and switching services will not be affected; and that the services of the agent are not required in the operation of this line of the railroad between LaJunta and Pueblo, Colorado.

In a similar manner, REA Express contends that shipments from the Agency at Swink have been declining and are insufficient to warrant continuation of the Express Agency.

The intention of Applicants has been properly publicized by the posting of public notice at the station in Swink. With regard to the same the Commission has received numerous protests indicating that discontinuance of the agency service would cause great inconvenience to the residents and businesses of Swink and the adjacent area. As a consequence thereof, further consideration of the instant proposal is sought.

In view of the protests herein, the Commission, on its own motion, has determined to suspend the effective date of the proposed station closing for the purpose of investigation and hearing regarding the whole matter.

The Commission finds that the application and file in this matter should be transferred to Investigation and Suspension Docket No. 560, on the Commission's Docket; that the application of The Atchison, Topeka and Santa Fe Railway Company and REA Express to withdraw the Agency Station at Swink, Colorado, should be suspended pending a more complete investigation of the matter; and that said matter should be set for hearing, as set forth in the Order following.

#### ORDER

##### THE COMMISSION ORDERS:

That Application No. 21656, originally assigned to the instant proceedings, be, and hereby is, closed, and all records and files of said application be, and hereby are, transferred to Investigation and Suspension Docket No. 560.

That the effective date of the proposed station closing at Swink, Colorado, by The Atchison, Topeka and Santa Fe Railway Company and REA Express, be, and hereby is, suspended for a period of ninety (90) days from January 15, 1966, or until April 15, 1966, unless


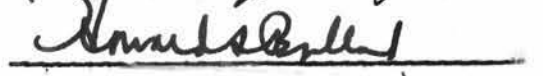

otherwise ordered by the Commission.

That Investigation and Suspension Docket No. 560 be, and the same hereby is, set for hearing before the Commission at 10:00 o'clock A. M., on March 1 and 2, 1966, at the District Court Room of the Court House, LaJunta, Colorado.

That a copy of this Order be filed with Application No. 21656 and with Investigation and Suspension Docket No. 560, and copies served on Grant, Shafroth, Toll and McHendrie, % Peter Crouse, Attorney, 730 Equitable Building, Denver, Colorado, as Attorneys for Applicants; and copies to be also forwarded to other protestants herein.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 13th day of January, 1966.

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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 A CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY AUTHORIZING THE PURCHASE )  
OF THE GAS DISTRIBUTION SYSTEM AND RE- )  
LATED FACILITIES OF LEADVILLE UTILITIES )  
COMPANY IN THE CITY OF LEADVILLE, COLO- )  
RADO AND IN THE COMMUNITIES OF STRING )  
TOWN AND BUCK TOWN, LAKE COUNTY, COLO- )  
RADO: AUTHORIZING THE ASSIGNMENT OF )  
THE CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY OF SAID LEADVILLE UTILI- )  
TIES COMPANY WITH RESPECT TO SERVICE )  
IN SAID CITY AND COMMUNITIES: AND THE )  
PURCHASE, MANUFACTURE, TRANSMISSION, )  
DISTRIBUTION AND SALE OF GAS, EITHER )  
NATURAL, ARTIFICIAL OR MIXED, IN SAID )  
CITY AND COMMUNITIES, IN THE AREAS )  
ADJACENT THERETO AND ALONG THE GAS )  
TRANSMISSION LINE THERETO. )  
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APPLICATION NO. 21718-Amended

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January 12, 1966  
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Appearances: Lee, Bryans, Kelly & Stansfield, Esqs.,  
Denver, Colorado, by E. A. Stansfield,  
Esq., for Applicant;  
Joseph M. McNulty, Denver, Colorado,  
and E. R. Thompson, Denver, Colorado,  
of the staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

Public Service Company of Colorado, a Colorado corporation,  
herein called "Applicant," filed with this Commission on December 23,  
1965 its application, which was amended at the hearing on this matter,  
for an order of this Commission authorizing Applicant to purchase  
from Leadville Utilities Company, a Delaware corporation, herein called  
"Utilities," the existing natural gas distribution systems of Utilities  
located in the City of Leadville, Lake County, Colorado, and areas  
adjacent thereto, and in and near the community of String Town in said  
County, to acquire by assignment and transfer the currently effective

certificates or portions of certificates of public convenience and necessity heretofore granted by this Commission to Utilities authorizing Utilities to distribute and sell natural gas in such areas; and to thereafter distribute and sell natural gas in the aforesaid areas. In addition Applicant in its application requested authority to sell and distribute natural gas in areas adjacent to and along the route of the existing high pressure natural gas transmission line of Western Slope Gas Company, a Colorado corporation, in said areas.

The matter was set for hearing, after due notice to all interested parties on January 6, 1966 at 10:00 a. m. at the office of the Commission at 532 State Services Building, Denver, Colorado. The matter was heard at said time and place. No petitions of intervention were filed with the Commission prior to the hearing and no one appeared at the hearing in opposition to the authority sought by Applicant. At the conclusion of the hearing the matter was taken under advisement by the Commission.

Applicant is a corporation organized and existing under the laws of the State of Colorado, and is a public utility operating company, subject to the jurisdiction of this Commission, engaged principally in the generation, purchase, transmission, distribution and sale of electrical energy, and in the purchase, distribution and sale of natural gas in various areas in the State of Colorado. A certified copy of Applicant's composite certificate of incorporation, together with all amendments thereto, heretofore has been filed with the Commission.

There was received in evidence at the hearing as Exhibit C a conformed copy of an agreement dated as of December 30, 1965 between Applicant, Utilities and J. E. Newman, sole stockholder of Utilities, wherein, subject to the valid laws and orders of all regulatory authorities having jurisdiction of the parties thereto and of the subject matter, Utilities agrees to sell and Applicant agrees to purchase as of the date of sale as therein provided, for a base purchase

price of \$350,000 subject to certain adjustments hereinafter referred to, all of the physical properties and assets of Utilities and records relating thereto, except cash on hand or in bank accounts and customers deposits, including accounts receivable from customers not more than 90 days past due, franchises, agreements, operating rights and other rights and facilities, all as more particularly delineated and set forth in said Exhibit C, and used in connection with or being a part of the natural gas distribution system and the liquefied petroleum gas business owned and operated by Utilities in Lake and Eagle Counties, Colorado. The date of sale as provided in Exhibit C is the date upon which the order of this Commission granting the authorities requested by Applicant becomes final, and is accepted by Applicant and Utilities.

Pursuant to the further provisions of Exhibit C on or prior to the date of sale, Utilities agrees to refund or cause to be refunded to the customers, either natural gas or liquefied petroleum gas, all customers' deposits of any character in accordance with deposit receipts, contracts and the rules of this Commission. Also on or prior to the date of sale, Utilities agrees to pay or cause to be paid all of its liabilities. The proposed transaction between the parties to Exhibit C is an assets acquisition by Applicant. Applicant assumes no liabilities of Utilities.

The properties and assets which Applicant proposes to acquire from Utilities include two parcels of real estate to be acquired at book value, provided title thereto is merchantable. In the event title is not merchantable, the base purchase price is to be adjusted accordingly. The base purchase price of \$350,000 is also subject to an upward adjustment for the amount of (a) accounts receivable to be purchased by Applicant of customers of Utilities receiving gas as of the date of sale which are not more than 90 days past due, (b) net property additions made to the properties between August 1, 1965 and the date of sale, and (c) by the value, as determined by the cost to

to Utilities, of the liquefied petroleum gas held in inventory and the natural gas in the distribution mains of Utilities as of the date of sale. The base purchase price is to be decreased by an amount equivalent to all ad valorem taxes on the properties and assets to be acquired, accrued to the date of sale.

Among other items proposed to be transferred and sold by Utilities to Applicant in connection with the proposed transaction are the currently effective certificates or portions of certificates of public convenience and necessity to distribute and sell natural gas granted by this Commission to Utilities by Decision No. 45064 dated December 29, 1955, pursuant to Utilities' Application No. 13769, and by Decision No. 60325 dated March 19, 1963, pursuant to Utilities' Application No. 19449; and the franchise to distribute and sell gas in the City of Leadville granted by Ordinance No. 9, Series 1954, of said City, to which Decision No. 45064 relates. The aforesaid Commission Decisions were received in evidence as Exhibit B.

The currently effective certificates of public convenience and necessity of Utilities which Applicant seeks to acquire, with the approval of this Commission, by assignment from Utilities are (a) the certificate authority granted by Commission Decision No. 45064; and (b) the certificate authority granted by Commission Decision No. 60325 only insofar as it grants authority to distribute and sell natural gas in Section 27, Township 9 South, Range 80 West. The authority granted to Utilities to distribute and sell natural gas and liquefied petroleum gas in the other areas certificated to Utilities by Decision No. 60325 has terminated and expired, due to the failure of Utilities to commence the construction of the required facilities as ordered therein within one year from the effective date of such Decision.

Sketch maps showing the natural gas distribution system of Utilities in the City of Leadville, areas contiguous thereto, and in the community of String Town, delineating thereon the size of mains

comprising the systems which Applicant proposes to acquire from Utilities, were received in evidence as Exhibit D.

With respect to the liquefied petroleum assets of Utilities which Applicant will acquire as part of the transaction contemplated by Exhibit C, Applicant's witness testified to the effect that Applicant subsequent to the date of sale would continue for the time being to serve, as a non-utility operation, the former liquefied petroleum customers of Utilities and others in the area desiring such service. The witness for Applicant further testified Applicant intends to dispose of such assets, by sale or otherwise, at an early date. The non-utility operation of the liquefied petroleum assets which Applicant proposes to acquire from Utilities is not subject to the jurisdiction of this Commission, and Applicant is not requesting the Commission to take any action concerning either its purchase or interim operations of such assets.

Applicant proposes to obtain its supply of natural gas for distribution and sale in Lake County, Colorado, as contemplated in this proceeding, from Western Slope Gas Company, herein called "Western" which owns and operates a high pressure intrastate gas transmission system in and through such county, all as more particularly shown on Exhibit E, received in evidence at the hearing. A conformed copy of a letter agreement between Applicant and Western pertaining to the supply of such natural gas was received in evidence as Exhibit F. Applicant's witness testified natural gas would be supplied to the customers in the areas involved in this proceeding in accordance with the schedules of Applicant's rates now on file with this Commission for natural gas service to customers in the Red Cliff and Minturn areas, and in the Frisco, Dillon, Breckenridge areas of Colorado as the same may be changed from time to time as provided by law, and that service at such rates would not increase the cost for gas service presently being paid by customers in the areas involved, but in the



case of certain rural customers, might result in a small decrease.

The witness for Applicant testified that Utilities is now serving 321 residential and commercial customers in the City of Leadville and is serving 218 residential and commercial customers in areas contiguous to said city, whereas Applicant in its electric operations in the City of Leadville is now serving 1559 electric customers, 1343 of which were residential and 216 commercial. Applicant's witness further testified that the population of Leadville decreased between 1940 and 1960 from 4774 to 4008 per the United States Census, but has increased to an estimated 4565 at the end of 1965; that residential construction has been on the increase both in Leadville and its environs due to such activities as the "Pan-Ark" and Homestake projects; and that the recreation industry is increasing in the area. Applicant's witness also testified that the level of competitive fuel prices were such as to encourage the use of natural gas. On the basis of its studies, Applicant estimates it will have approximately 1350 natural gas customers connected to the system within the next five years, and that such potential makes the subject acquisition feasible.

The balance sheet of Applicant at June 30, 1965, and its statement of income and earned surplus for the twelve months ended June 30, 1965, both subject to audit and possible adjustment, were received in evidence as Exhibit G.

George E. Burke, Mayor-elect of the City of Leadville, testified at the hearing in favor of the proposed transaction, insofar as it relates to the distribution and sale of natural gas in said City. He sponsored an exhibit consisting of a resolution adopted and approved by the Leadville City Council at its regular meeting on January 4, 1966, wherein said council approved the proposed sale and assignment by Utilities, as successor in interest to Modern Appliance Company, to Applicant of the franchise granted by the City of Leadville under the provisions of Ordinance No. 9, Series 1954. A

certified copy of said resolution was received in evidence as Exhibit I. The Chairman of the Board of County Commissioners of Lake County, Colorado, W. O. Diedrick, also testified at the hearing in favor of the proposed transaction. He sponsored a conformed copy of a certified copy of a resolution passed and adopted at a regular meeting of said Board of County Commissioners on December 18, 1965, directed to the Commission recommending its approval of the proposed sale and transfer by Utilities to Applicant of the gas distribution system of Utilities. A conformed copy of the resolution of said Board of County Commissioners was received in evidence as Exhibit J.

The Commission has carefully reviewed the Application, as amended at the hearing on this matter by the elimination of all matters and references to the community of Buck Town, Lake County, Colorado, and all evidence presented at such hearing and is of the opinion that the authority sought by Applicant should be granted.

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

##### THE COMMISSION FINDS:

That Applicant, Public Service Company of Colorado, a Colorado corporation, is a public utility as defined by 115-1-3, Colorado Revised Statutes, 1963;

That this Commission has jurisdiction of Applicant, and the subject matter of this application as it pertains to the proposed transfer and assignment of certificates of public convenience and necessity issued by this Commission and the exercise of rights to distribute and sell natural gas thereunder;

That the foregoing Statement be, and it hereby is, adopted as part of the Findings herein;

That the proposed acquisition by Applicant of the natural gas distribution properties and assets now owned and operated by Utilities in Lake County, Colorado, as proposed under the provisions of Exhibit C referred to in the foregoing Statement, is consistent with the public interest and should be approved;



That the public convenience and necessity require and will require, upon the assignment and transfer to Applicant of all the rights and privileges of Utilities to distribute and sell gas in the City of Leadville granted by Ordinance No. 9, Series 1954 of said City the exercise by Applicant of the franchise rights granted in and by said Ordinance to distribute and sell gas in said City; the distribution and sale of natural gas in the areas adjacent to said City and in Section 27, Township 9 South, Range 80 West; the distribution and sale of natural gas along the high pressure intrastate transmission line of Western Slope Gas Company in Lake and Eagle Counties, Colorado, as set forth in the Order herein; and

That the transfer to Applicant, to become effective upon the closing of the transaction contemplated by Exhibit C referred to in the foregoing Statement, of the certificates of public convenience and necessity issued to Utilities by Commission Decision No. 45064, dated December 29, 1955, and the certificate authority granted by Commission Decision No. 60325, dated March 19, 1963, insofar as it grants authority to distribute and sell natural gas in Section 27, Township 9 South, Range 80 West is in the public interest and should be approved.

#### O R D E R

##### THE COMMISSION ORDERS:

That the proposed acquisition by Applicant of the natural gas distribution properties and assets now owned and operated by Utilities in Lake County, Colorado, as proposed under the provisions of Exhibit C referred to in the foregoing Statement, be, and such acquisition is, approved;

That the public convenience and necessity required and will require, upon the assignment and transfer to Applicant of all the rights and privileges of Utilities to distribute and sell gas in the City of Leadville granted by Ordinance No. 9, Series 1954 of said

City the exercise by Applicant of the franchise rights granted in and by said Ordinance to distribute and sell gas in said City; the distribution and sale of natural gas in the areas adjacent to said City and in Section 27, Township 9 South, Range 80 West; the distribution and sale of natural gas in an area along the high pressure intrastate transmission line of Western Slope Gas Company included between the north boundary line of Township 9 South, Range 79 West and the south boundary line of Township 11 South, Range 80 West and one mile in width on either side of the said transmission line as the centerline except as in this order otherwise provided; and that this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor;

That the transfer and assignment to Applicant, to become effective upon the closing of the transaction contemplated by Exhibit C referred to in the foregoing Statement, of the certificate of public convenience issued to Utilities by Commission Decision No. 45064 dated December 29, 1955 and of the certificate authority granted to Utilities by Commission Decision No. 60325, dated March 19, 1963, insofar as it grants authority to distribute and sell natural gas in Section 27, Township 9 South, Range 80 West be, and such transfer and assignment is, authorized and approved;

That from and after the closing of the transaction contemplated by said Exhibit C, Applicant shall operate and maintain the natural gas system in Lake County, Colorado which it acquires from Utilities and supply natural gas service to customers therefrom in accordance with its rules and regulations and the schedules of Applicant's natural gas rates now on file with the Commission applicable to natural gas service which Applicant supplies in the Red Cliff, Minturn, Frisco, Dillon and Breckenridge areas of Colorado, or as the same may be changed according to law and the rules and regulations of the Commission;


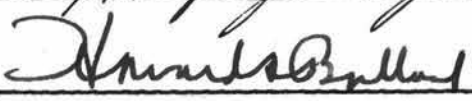

That Applicant shall submit to the Commission within fifteen (15) days after the effective date of the Order herein, a conformed

copy of the certified balance sheet of Utilities as defined in Exhibit C-10(c).

That Applicant shall submit to the Commission within one hundred twenty (120) days after the consummation of the aforesaid acquisition of the facilities of Utilities, a copy of the entries to be made on its books to reflect such acquisition, the date such acquisition was effected and the final acquisition cost to Applicant of said facilities; and

That 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 ~~January~~, 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN DILLEY, 625 NORTH RAYNOLDS )  
AVENUE, CANON CITY, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUR NO. 1554 )  
AND PUC NO. 1554-I TO SALIDA-CANON )  
TRUCKING, INC., 1004 OAK STREET, )  
CANON CITY, COLORADO. )  
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APPLICATION NO. 21637-Transfer

IN THE MATTER OF THE APPLICATION OF )  
JOHN DILLEY, 625 NORTH RAYNOLDS )  
AVENUE, CANON CITY, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUC NO. 1554 )  
AND PUC NO. 1554-I TO SALIDA-CANON )  
TRUCKING, INC., DOING BUSINESS AS )  
"CENTRAL COLORADO TRUCKING COMPANY," )  
1004 OAK STREET, CANON CITY, COLORADO.)  
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APPLICATION NO. 21637-Transfer-  
AMENDED

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January 13, 1966  
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Appearances: H. R. Harward, Esq., Canon City,  
Colorado, for Transferee;  
John Dilley, Canon City, Colo-  
rado, pro se;  
Robert P. Grueter, Esq., Denver,  
Colorado, for Salida Transfer  
Company, Inc.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, John Dilley, Canon City, Colorado, was granted  
a certificate of public convenience and necessity, PUC No. 1554 and  
PUC No. 1554-I, authorizing operation as a common carrier by motor  
vehicle for hire, for the:

Transportation, on call and demand, for the movement  
of farm products, specifically including livestock and  
hay, between points within a radius of 35 miles of  
Canon City, Colorado, and from and to points in said  
radius, to and from points in the State of Colorado.  
DEC.#35310 transfers from Rio Grande Motor Way, Inc.  
authority granted in Decision No. 12396 as extended  
in Decision 15448: Transportation of farm products,  
including vegetables and livestock, fish, household  
goods, mining and milling machinery, farm supplies,  
stone and timber, from point to point within a radius

of thirty-five (35) miles of Salida, Colorado, (excluding from this territory that portion lying west of the Continental Divide), and to and from points in said area, from and to points outside thereof; however, no service to be rendered between points now (Sept. 24, 1938) served by regularly scheduled certificated common carriers. Amended to include: Transportation of ore and concentrates from mines within a radius of five miles of Bonanza, Colorado, to railroad loading points at Villa Grove and Salida, Colorado, and to the smelter at Malta, Colorado. 9-30-63 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.

By the above-styled application, said certificate-holder seeks authority to transfer said operating rights to Salida-Canon Trucking, Inc., doing business as "Central Colorado Trucking Company," 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 of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, H. R. Harward, attorney for the transferee Salida-Canon Trucking, Inc., stated that on behalf of the transferee, it had been agreed and stipulated with Robert P. Grueter, attorney for Salida Transfer Company, Inc., if the within application is approved, the transferee would agree to operate under the trade name of "Central Colorado Trucking Company," and he moved to amend the application to reflect the use of this trade name in the operation of PUC No. 1554 and PUC No. 1554-I.

Mr. Harward further stated that a trade name affidavit would be promptly filed with the Secretary of State and that Salida Transfer Company, Inc., was protesting solely on the behalf of the use of the transferee's corporate name. The amendment was allowed and the application was considered as so amended. Thereupon, Mr. Robert P. Grueter

on behalf of Salida Transfer Company, Inc., withdrew its protest.

Max G. Chelf, Canon City, Colorado, stated that he is President of Salida-Canon Trucking, Inc., the transferee herein, and is the Operating Manager of the corporation, which is a Colorado corporation; that he and others associated with his corporation are experienced in the transportation business and will own sufficient equipment to continue operations under PUC No. 1554 and PUC No. 1554-I; that with the application there was filed an Agreement of Purchase and Sale from John Dilley, the owner of these authorities; that this Agreement fully sets forth the provisions of the transaction between the transferor and transferee; that the consideration involved is \$38,000.00 which, in addition to the PUC authorities, includes equipment as listed in said Agreement. This witness also identified Exhibits A and B as financial statements of the transferee corporation. He also stated that it is the intention of the transferee corporation to conduct operations in the same manner and with many of the same employees who worked for the transferor.

John Dilley, the transferor herein, also appeared and testified in support of the granting of the instant application; stating that the consideration as stated in the Agreement of Purchase and Sale filed with the application was fair and reasonable; that there is no outstanding indebtedness against said operating rights; and that the transferee corporation has been operating these authorities by virtue of temporary authority issued by the Commission.

All motions granted by the Examiner herein 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 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 trans-



fer 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:

The John Dilley, Canon City, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 1554 and PUC No. 1554-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Salida-Canon Trucking, Inc., doing business as Central Colorado Trucking Company," 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 certificate.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry E. Jenkins  
Howard S. Bell  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,  
this 13th day of January, 1966.

(Decision No. 66607)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ABE DIAMOND, DOING BUSINESS AS "ACME )  
FAST EXPRESS LINE," 1297 RALEIGH )  
STREET, DENVER, COLORADO, FOR AUTHOR- )  
ITY TO TRANSFER PUC NO. 3437 AND PUC )  
NO. 3437-I TO ACME FAST EXPRESS LINE )  
COMPANY, A COLORADO CORPORATION, )  
LYNCH BUILDING, 2900 BROADWAY, )  
DENVER, COLORADO. )  
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APPLICATION NO. 21651-Transfer

IN THE MATTER OF THE APPLICATION OF )  
ABE DIAMOND, DOING BUSINESS AS "ACME )  
FAST EXPRESS LINE," 1297 RALEIGH )  
STREET, DENVER, COLORADO, FOR AUTHOR- )  
ITY TO TRANSFER PERMIT NO. B-4738 TO )  
ACME FAST EXPRESS LINE COMPANY, A )  
COLORADO CORPORATION, LYNCH BUILDING, )  
2900 BROADWAY, DENVER, COLORADO. )  
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APPLICATION NO. 21652-PP-Transfer

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January 13, 1966  
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Appearances: Bonnie Jean Erosky, Denver, Colo-  
rado, for Applicants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Abe Diamond, doing business as "Acme Fast Express  
Line," Denver, Colorado, was granted the following operating rights:

PUC No. 3437 and PUC No. 3437-I:

Transportation of general commodities, except commodities  
which, because of size or weight, require the use of  
special equipment, between points within the City and  
County of Denver, State of Colorado.

INTERSTATE AUTHORITY: Between all points in Colorado and  
the Colorado state boundary lines where all highways cross  
same in interstate commerce, only, subject to the provisions  
of the Federal Motor Carrier Act of 1935, as amended.

PERMIT NO. B-3748:

Transportation of magazines between Denver and points within a radius of 10 miles of Denver, Colorado, for Busley Super Markets, ONLY. Extended to include transportation of commodities sold by Oazlid, a Division of General Aniline and Film Corporation, from their place of business, in Denver, Colorado, to Oazlid's customers located within a radius of twenty-five miles of Colfax and Broadway, Denver, Colorado, for Oazlid only.

By the above-styled applications, said Abe Diamond, doing business as "Acme Fast Express Line," seeks authority to transfer said operating rights to Acme Fast Express Line Company, a Colorado corporation, Denver, Colorado.

Said applications were regulatly 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 Bonnie Jean Erosky, testified that she is an employee of the Applicant Abe Diamond and is also the Secretary and Treasurer of Acme Fast Express Line Company, the transferee corporation herein; that she is appearing for Mr. Diamond who is unable to be present at the hearing because of illness; that she had authority from Mr. Diamond to testify in support of these applications; and that because of her official position she is sufficiently acquainted with the applications and with the affairs of the transferor and transferee corporation to furnish the facts required in support of the applications.

This witness identified Exhibits A and B as a Certificate of Incorporation and Articles of Incorporation of Acme Fast Express Line Company, a Colorado corporation. She stated that Abe Diamond, the transferor, is also President of the transferee corporation; that Abe

Diamond owns the majority stock in the transferee corporation; that the transportation business as conducted by the transferor will hereafter be conducted by the transferee corporation; that the method and scope of the transportation business will be carried on in the same manner and with the same personnel as heretofore; that the assets including equipment and customer lists are to be transferred to the transferee corporation which will own the necessary and sufficient equipment to carry on the transportation business under the authorities sought to be transferred.

This witness stated that at the time of the filing of the applications, there was attached thereto a financial statement of the transferee corporation, which, in her opinion, reflected sufficient net worth to justify the transfer and ownership of the authorities; that arrangements have been made to provide for transfer of insurance; and that the officers and employees of the transferee corporation are experienced and acquainted with the rules, regulations and laws of the State of Colorado pertaining to common and private carriers.

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 will have sufficient equipment and experienced personnel 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 Abe Diamond, doing business as "Acme Fast Express Line," Denver, Colorado, be, and hereby is, authorized to transfer all right,

title and interest in and to PUC No. 3437, PUC No. 3437-I and Permit No. B-4738 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Acme Fast Express Line Company, a Colorado corporation, Denver, 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,


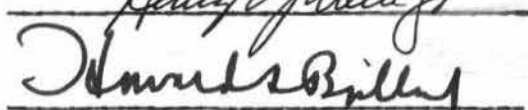
the conditions and requirements of this Order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfer,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

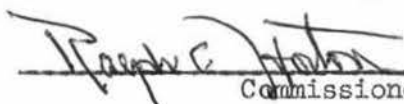
The right of transferee to operate under this Order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering operations under said permit up to the time of transfer of said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

Dated at Denver, Colorado,  
this 13th day of January, 1966.

et

(Decision No. 66608)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DONALD E. HOFFNER, ROUTE 1, BOX 29A, )  
GILL, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 21708-PP

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January 13, 1966  
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Appearances: Donald E. Hoffner, Gill, Colo-  
rado, 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.

#### ORDER

##### THE COMMISSION ORDERS:

That Donald E. Hoffner, Gill, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of feed lot manure, between points within Weld County, Colorado; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

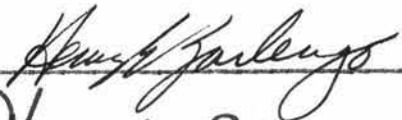
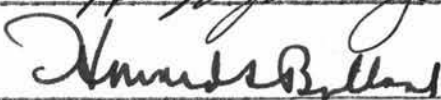
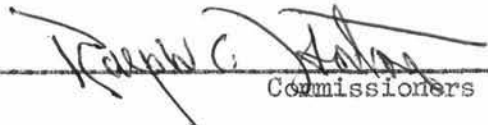
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until Applicant has filed a customer list, copies of all special contracts or a memoranda of their terms, the required insurance, necessary tariffs, 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

  
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Commissioners

Dated at Denver, Colorado,  
this 13th day of January, 1966.

(Decision No. 66609)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHNNIE BERNHARDT, ROUTE 1, BOX 112, )  
GILL, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE CARRIER )  
BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 21710-PP

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January 13, 1966  
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Appearances: Johnnie Bernhardt, Gill, Colo-  
rado, 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 Johnnie Bernhardt, Gill, 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: sugar beets and manure, between points within a radius of 50 miles of Gill, Colorado; and this ORDER shall be deemed to be, and be, a PERMIT therefor.


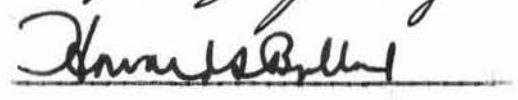
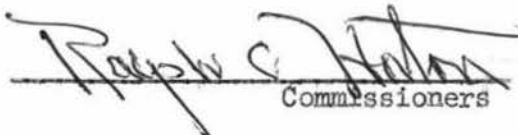
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until Applicant has filed customer list, 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 13th day of January, 1966

et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
URBANO O. MUNIZ, P. O. BOX 269, LA )  
JARA, COLORADO, FOR A CLASS "B" PERMIT )  
TO OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 21684-PP

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January 13, 1966  
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Appearances: Urbano O. Muniz, La Jara, Colo-  
rado, pro se;  
Elizabeth A. Conour, Esq., Del .  
Norte, Colorado, for J. B.  
Whitaker.

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 farm products (including hay, grain, potatoes, and farm machinery), sand, gravel, dirt, rock, and supplies incidental to building and farming (excluding livestock and freight transported by other carriers and in direct competition with present carriers), over irregular routes, from point to point within a radius of 35 miles of MonteVista, Colorado, to and from farms and processing plants in said area, all shipments to originate at or be destined to farms or points within the rural area; manure, between points within a 35-mile radius of Monte Vista, Colorado. Applicant requests, in the event the authority herein sought is granted, said operating rights be known as "Permit No. B-6171," 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 trans-

mitted 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, Urbano O. Muniz, moved to amend his application to request authority to transport potatoes and green vegetables only rather than "farm products" as requested in his application. The proposed amendment being restrictive in nature was allowed and the application was considered so amended. Thereupon, Mrs. Conour, as attorney for the above-named Protestant, withdrew the protest.

Urbano O. Muniz, the applicant herein, testified that if the authority herein sought is granted, he will enter into special carriage contracts 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 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 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.

#### ORDER

##### THE COMMISSION ORDERS:

That Urbano O. Muniz, La Jara, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle



for hire, for the transportation of potatoes, green vegetables, sand, gravel, dirt, rock and supplies incidental to building and farming, from point to point within a radius of 35 miles of Monte Vista, Colorado, to and from farms and processing plants only; and manure between points within a 35-mile radius of Monte Vista, Colorado; and this ORDER shall be deemed to be, and be a PERMIT therefor.

That said operating rights be known as "Permit No. B-6171."

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 customer list, 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

Alvin E. Zalesky  
Donald B. Butler  
Reephe C. Watson  
Commissioners

Dated at Denver, Colorado,  
this 13th day of January, 1966.

et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ROBERT H. DeLASHMUTT, DOING BUSINESS )  
AS "MOUNT EVANS MOTORWAY," BOX 925, )  
1431 MINER STREET, IDAHO SPRINGS, )  
COLORADO, FOR REINSTATEMENT OF PUC )  
NO. 6296, AND FOR AUTHORITY TO ) APPLICATION NO. 21674-Transfer  
TRANSFER SAID PUC NO. 6296 TO CURTIS )  
K. LUKOW, DOING BUSINESS AS "MOUNT )  
EVANS MOTORWAY," 2253 MINER STREET, )  
IDAHO SPRINGS, COLORADO. )  
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January 17, 1966  
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Appearances: Robert H. DeLashmutt, Idaho Springs,  
Colorado, pro se;  
Curtis K. Lukow, Idaho Springs,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Robert H. DeLashmutt, doing business as "Mount  
Evans Motorway," Idaho Springs, Colorado, was granted a certificate  
of public convenience and necessity, PUC No. 6296, authorizing operation  
as a common carrier by motor vehicle for hire, for the:

Transportation of: 1. Passengers and their baggage, in  
taxicab service, between points in Clear Creek and Gilpin  
Counties, and from and to, to and from points in Clear  
Creek and Gilpin Counties, to and from points in the State  
of Colorado, using five-passenger automobiles and jeeps  
where the terrain and roads require their use; 2. Passen-  
gers, in a round-trip sightseeing service, originating  
and terminating in Idaho Springs, Colorado, to the  
following routes and places: (a) From Idaho Springs to  
Troutdale, via Evergreen; (b) To Mount Evans, via Bergen  
Park and Echo Lake, returning by Chicago Creek, or vice-  
versa; (c) To Camp Wilaha and the Barber Fork Camp Ground;  
(d) To Georgetown, via Dumont and Lawson; (e) To Silver  
Plume (including famous Georgetown Loop); (f) To Graymont,  
via Silver Plume (including famous Georgetown Loop);  
(g) To Berthoud Pass (Top of the World), via Empire; (h)  
To St. Mary's Lake and St. Mary's Glacier, via Alice;  
(i) To Central City, via Russell Gulch; (j) To Blackhawk,  
via Russell Gulch and Central City; (k) To American City,  
via Central City and Apex; (l) To East Portal, via  
Rollinsville and Tolland; (m) To the Deserted City  
(Nevadaville), to Clear and Green Lakes, via Georgetown;

(n) To West Portal, via Berthoud Pass; (o) To Grand Lake, via Berthoud Pass; (p) To Monarch Lake, via Berthoud Pass; (q) To Waldorf and Argentine Pass, via Georgetown; (r) To Urad Mine and Jones Pass, via Empire; (s) To the Public Service Company Hydro-Electric installation, at Cabin Creek, via Georgetown; (t) To Alma Lincoln Mine, via U.S. Highway 6 and 40 detour, also known as the Stanly Road to the Ghost Town of Freeland, via Trail Creek and return by South Spring Gulch, Ute Creek, Cascade Creek, or Banner Gulch, or the reverse of any such routes; (u) To Central City, via Fall River and Hamlin Gulch; (v) To Grant, via Georgetown and Guanella Pass, returning via Morrison, Evergreen, Bergen Park, Squaw Pass, and Chicago Creek, or the reverse thereof; using five-passenger automobiles, seven-passenger limousines, and jeeps, where the terrain and roads require them.

By the above-styled application, said certificate-holder seeks authority to reinstate said PUC No. 6296 and to transfer said operating rights to Curtis K. Lukow, doing business as "Mount Evans Motorway," Idaho Springs, 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 Robert H. DeLashmutt, the transferor herein, appeared and testified in support of the granting of the instant application, stating that he has entered into an Agreement to transfer PUC No. 6296 to Curtis K. Lukow, the transferee herein; that the consideration for the transfer is the assumption by Mr. Lukow of certain obligations as defined in the Agreement amounting to approximately \$3500.00; that there are no liens or obligations against the authority itself and that other than indicated in the Agreement there would be no further obligations against either the authority or the business previously conducted by him under PUC No. 6296.

Curtis K. Lukow, the transferee, also appeared and testified

in support of the granting of the instant application, stating that, in his opinion, the consideration is fair and reasonable; that he intends to continue operations under PUC No. 6296; that he has a net worth in excess of \$288,000.00 as reflected in a financial statement filed with the Commission; that he owns sufficient equipment or has the financial ability to provide additional equipment as may be necessary to conduct effective operations under the authority; that he is experienced in the transportation business and will hire experienced personnel in conducting the transportation business as authorized by PUC No. 6296.

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, 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; and that PUC No. 6296 should be reinstated for the purpose of transfer.

#### O R D E R

##### THE COMMISSION ORDERS:

That PUC No. 6296 be, and the same hereby is, reinstated for purpose of transfer.

That Robert H. DeLashmutt, doing business as "Mount Evans Motorway," Idaho Springs, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 6296 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Curtis K. Lukow, doing business as

"Mount Evans Motorway," Idaho Springs, 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 the Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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

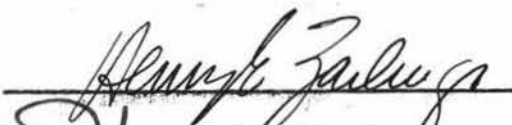

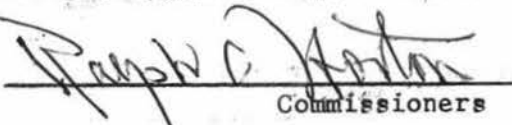
The right of transferee to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Dated at Denver, Colorado,  
this 17th day of January, 1966.

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Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CECIL J. WATSON, 230 WEST 5TH, )  
SALIDA, COLORADO, FOR AUTHORITY TO )  
TRANSFER PUC NO. 3033 TO THE )  
LEADVILLE TRANSIT COMPANY, INC., )  
1448 "F" STREET, SALIDA, COLORADO. )  
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APPLICATION NO. 21693-Transfer

IN THE MATTER OF THE APPLICATION OF )  
CECIL J. WATSON, 230 WEST 5TH, )  
SALIDA, COLORADO, FOR AUTHORITY TO )  
TRANSFER PERMIT NO. B-3718 TO THE )  
LEADVILLE TRANSIT COMPANY, INC., )  
1448 "F" STREET, SALIDA, COLORADO. )  
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APPLICATION NO. 21694-PP-Transfer

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January 14, 1966  
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Appearances: J. Albert Sebald, Esq., Denver,  
Colorado, for Transferor and  
Transferee;

Floyd K. Roberts, Denver, Colorado,  
for Continental Bus System, Inc.,  
as its interests may appear.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Cecil J. Watson, Salida, Colorado, was granted  
the following operating rights: PUC NO. 3033

Transportation of groups of passengers by motor vehicle  
on call and demand in chartered buses between Salida,  
Colorado, on the one hand, and all other points and  
places within a radius of fifty (50) miles of Salida,  
Colorado, on the other hand. DEC. #44273: Transportation  
of groups by motor vehicle on call and demand in chartered  
buses between Salida, Colorado, on the one hand, and all  
other points and places within a radius of fifty (50)  
miles of Salida, Colorado, on the other hand; provided,  
however, that the transportation of school children of  
School District No. 7, Salida, Colorado, to all points  
in the State of Colorado shall be permitted, but only in  
connection with school activities sponsored by said  
school district; and in conjunction with such trans-  
portation of school children, transportation of such  
teachers, school officials and chaperons as may be ex-  
pressly authorized by the School District to travel in  
connection with any such activity is also authorized  
hereby. DEC. #46985: Transportation of miners, and



employees, only, employed at the mine of the Climax Molybdenum Company, at Climax, Colorado, by means of buses, from Salida to Climax, Colorado, and points intermediate, via Leadville, and return, said operation to be conducted over Highways Nos. 91, 24, 285, and 291, subject to the following conditions: 1. That a multi-ticket, or payroll deduction, be used, and that no individual ticket be sold or honored.

Permit No. B-3718:

Transportation of employees of the Monarch Mines and Quarry, from Salida to said mines and quarry, located about 22 miles west of Salida, on U. S. Highway No. 50, and return to Salida, Colorado.

By the above-styled applications, said Cecil J. Watson seeks authority to transfer said operating rights to The Leadville Transit Company, Inc., Salida, 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, Cecil J. Watson, the transferor, appeared and testified in support of the applications, stating that the consideration for the transfer of both authorities together with a 37-passenger bus is the sum of \$800.00; and that there is no outstanding indebtedness against said authorities. This witness identified Exhibit 1 as the Agreement between the parties, and Exhibits 2 and 3 as a statement of each of the authorities sought to be transferred herein.

Dale Glover, President of the transferee corporation, also appeared and testified in support of the granting of the instant applications, stating that the Leadville Transit Company, Inc., is a Colorado corporation; that a copy of its Articles of Incorporation are on file with the Commission; that this company presently owns and



operates under PUC No. 5348 and Permit No. B-5464; that he and the other officers and employees of the company are experienced in the transportation business and possess adequate and sufficient equipment to properly conduct and continue operations under the authorities sought to be transferred. He also identified Exhibit No. 4 as a financial statement of the transferee corporation and stated that the company possesses sufficient net worth to effectively continue operations of the authorities sought to be transferred herein.

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 corporation will have sufficient equipment and experienced personnel 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 Cecil J. Watson, Salida, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 3033 and Permit No. B-3718 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to The Leadville Transit Company, Inc., Salida, 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 this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of the Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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

The right of transferee to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

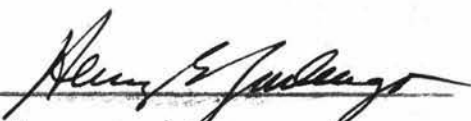
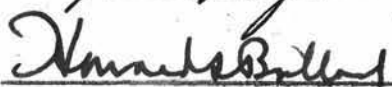
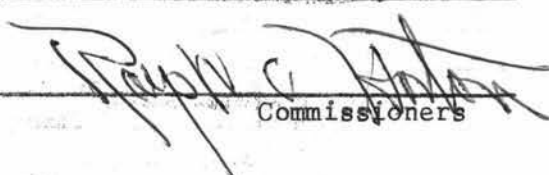
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this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

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,  
this 14th day of January, 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION )  
OF CHARLES W. NEITZ, ROUTE 1, BOX )  
73, BROOMFIELD, COLORADO, FOR )  
AUTHORITY TO EXTEND OPERATIONS )  
UNDER PERMIT NO. B-6101. )  
- - - - -

APPLICATION NO. 21660-PP-  
Extension

- - - - -  
January 14, 1966  
- - - - -

Appearances: Charles W. Neitz, Broom-  
field, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Charles W. Neitz, Broomfield, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire, Permit No. B-6101, authorizing transportation of:

Hay and straw (both loose and baled), ensilage, between points within a radius of thirty-five miles of Eastlake, Colorado; live turkeys, between points within the State of Colorado;

EXTENDED to include the right to transport live poultry between points within the State of Colorado, and grain between points within a radius of thirty-five miles of Eastlake, Colorado.

By the above-styled application, said permit-holder seeks authority to extend operations under said Permit No. B-6101, to include the transportation of hay and straw (baled and loose), hay pellets, ensilage, grain and meat scraps between points within a radius of 70 miles of Eastlake, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly desig-

nated 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 extended authority herein sought is granted, he will enter into special carriage contracts with certain shippers who have requested the herein proposed extended service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed extended 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 the proposed extended 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 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 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

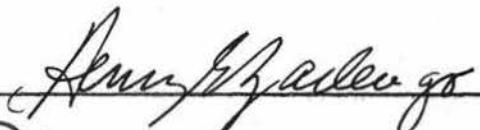
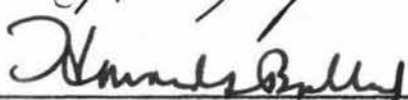
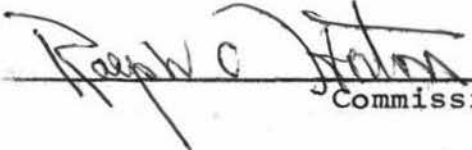
THE COMMISSION ORDERS:

That Charles W. Neitz, Broomfield, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-6101 to include the transportation of hay and straw (baled and loose), hay pellets, ensilage, grain and meat scraps between points within a radius of 70 miles of Eastlake, 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 14th day of January, 1966.

et

(Decision No.66614)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
EDWARD D. JONES, DOING BUSINESS AS )  
"UNIVERSAL TRUCKING," 3600 ADAMS )  
STREET, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE FOR )  
HIRE. )  
-----

APPLICATION NO. 21491-PP  
SUPPLEMENTAL ORDER

-----  
January 14, 1966  
-----

Appearances: G. A. Score, Esq., Denver, Colo-  
rado, for Applicant.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On January 4, 1966, the Commission entered its Decision No. 66525 in the above-styled application, revoking operating rights granted to the above-styled applicant by Decision No. 66023, dated October 8, 1965, for failure of said applicant to comply with requirements set forth in said Decision No. 66023.

It now appears that applicant has complied with all requirements of Decision No. 66023, and requests reinstatement of operating rights granted thereby.

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

O R D E R

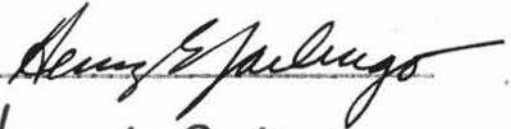
THE COMMISSION ORDERS:

That Decision No. 66525, dated January 4, 1966, be, and the same hereby is, vacated, set aside, and held for naught, as of said 4th day of January, 1966, and operating rights heretofore granted to



the above-styled applicant by Decision No. 66023, dated October 8, 1965, be, and the same hereby are, restored to active status, as of said date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 14th day of January, 1966.

et

(Decision No.66615)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WILLIAM H. LAWRENCE, DOING BUSINESS )  
AS "PAN ARK WORKERS TRANSIT CO.," )  
BOX 60, CARBONDALE, COLORADO, FOR A )  
CERTIFICATE OF PUBLIC CONVENIENCE AND )  
AND NECESSITY TO OPERATE AS A COMMON )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 21558-  
SUPPLEMENTAL ORDER

-----  
January 14, 1966  
-----

Appearances: William H. Lawrence, Carbondale,  
Colorado, pro se;  
Harold L. Lesh, Glenwood Springs,  
Colorado, for Glenwood-Aspen  
Stage Lines.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On December 2, 1965, the Commission entered Decision No.  
66370, granting to applicant herein a certificate of public convenience  
and necessity to operate as a common carrier by motor vehicle for hire.

The Commission is in receipt of a communication from the above-  
styled applicant stating that he no longer has use for said operating  
rights and requesting cancellation thereof.

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

ORDER

THE COMMISSION ORDERS:

That operating rights granted by Decision No. 66370, dated  
December 2, 1965, be, and the same hereby are, cancelled and revoked  
upon request of William H. Lawrence, owner thereof.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry S. Ziegler*  
*Wm. S. Bullard*  
*Ralph C. Hoken*  
Commissioners

Dated at Denver, Colorado,  
this 14th day of January, 1966.

et

(Decision No. 66616)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
KENNETH L. SUCKLA, DOING BUSINESS )  
AS "KLS AVIATION," BLAKE FIELD, DELTA, )  
COLORADO, FOR A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY TO OPERATE )  
AS A COMMON CARRIER BY AIRPLANE. )  
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APPLICATION NO. 21757

-----  
January 14, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-styled application, applicant herein sought a certificate of public convenience and necessity to engage in the transportation, by aircraft, of persons and property, not on schedule, but on call and demand, to and from Blake Field, Delta, Colorado, and all points within the State of Colorado.

Said application was filed with the Commission on July 30, 1965. Since that time, said matter has been held pending with no request for hearing.

As the Commission is desirous of closing its docket on long-pending matters, the Commission states and finds that unless written request for setting of the above-entitled matter for hearing shall be received by the Commission before the effective date of this Order, the application should be dismissed for want of prosecution.

ORDER

THE COMMISSION ORDERS:

That the application herein filed be, and hereby is, dismissed, unless written request for hearing shall be received by the Commission before the effective date of this Order.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 14th day of January, 1966.

et

ing copy

Decision No. 66617

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )

ALFRED G. SCHRITTER DBA )  
AL'S TERRAZZO )  
2624 Minnequa )  
Pueblo, Colorado 81001 )  
----- )

AUTHORITY NO. M 13784

CASE NO. 3596 Ins.

-----  
January 14, 1966  
-----

S T A T E M E N T

By the Commission:

On December 8, 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. Zaehner  
Howard S. Bjelland  
Ray C. Norton  
Commissioners

Dated at Denver, Colorado,  
this 14th day of January, 1966

(Decision No.66618)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION)  
OF HEROLD J. ELLIS, 1034 SOUTH )  
NEWTON STREET, DENVER, COLORADO,) )  
FOR AUTHORITY TO TRANSFER PUC )  
NO. 3671 TO WAYNE R. GLENDENING,) )  
DOING BUSINESS AS "ELLIS DISPOS-) )  
AL," 1808 SIMMS, DENVER, COLO-) )  
RADO. ) )  
- - - - -

APPLICATION NO. 21692-Transfer

- - - - -  
January 18, 1966  
- - - - -

Appearances: Robert McLean, Esq.,  
Denver, Colorado, for  
Transferor and Trans-  
feree.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Herold J. Ellis, Denver, Colorado,  
was granted the following operating rights:

PUC No. 3671:

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 Herold  
J. Ellis seeks authority to transfer said PUC No. 3671  
to Wayne R. Glendening, doing business as "Ellis Dis-  
posal," 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, Herold J. Ellis, the transferor herein, appeared and testified in support of the granting of the instant application, stating that he has entered into a written agreement for the sale of PUC No. 3671 together with all assets used by him in conducting operations under this authority for the sum of \$7,500.00 which also includes the transfer of certain equipment; that there are no outstanding debts or obligations against either the authority or the business.

Wayne R. Glendening, the transferee herein, also appeared and testified, stating that he has a net worth of approximately \$50,000.00; that he will own sufficient equipment to continue operations under PUC No. 3671; that he is experienced in this type of business; that insurance as required by the Commission has been arranged; and that he is acquainted with the rules, regulations and laws of the State of Colorado pertaining to common carriers and will carefully observe the same. He further identified Exhibit 1 as the original of the Agreement between the parties.

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 operations; 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 Herold J. Ellis, Denver, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 3671 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference ---to Wayne R. Glendenning, doing business as "Ellis Disposal," Denver, Colorado, subject to encumbrances against said certificate, if any, approved by this Commission.


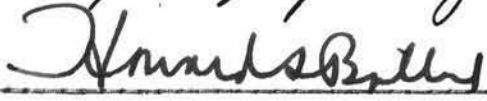
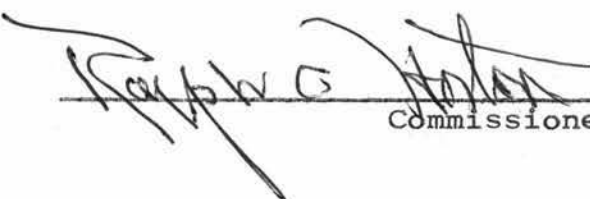
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of 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 granted herein 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 18th day of January, 1966.

et

(Decision No.66619)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION)  
OF PAUL J. LATTNER, 3226 SOUTH )  
EMPORIA, DENVER, COLORADO, FOR )  
AUTHORITY TO EXTEND OPERATIONS )  
UNDER PERMIT NO. B-6542. )

APPLICATION NO. 21667-PP-  
Extension

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- - - - -  
January 17, 1966  
- - - - -

Appearances: Paul J. Lattner, Denver,  
Colorado, pro se;  
Donald G. Brotzman, Esq.,  
Boulder, Colorado, for  
Pherson Trucking Co.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Paul J. Lattner, Denver, Colorado,  
was authorized to operate as a Class "B" private carrier  
by motor vehicle for hire, Permit No. B-6542, 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 50 miles  
of said pits and supply points; sand and gravel,  
from pits and supply points in the State of Colo-  
rado, to railroad loading points, and to 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.

By the above-styled application, said permit-holder seeks authority to extend operations under said Permit No. B-6542 to include the transportation of ores and concentrates from mines within a radius of five miles of Jamestown, Gold Hill and Central City, to the mill located near Pinecliffe, 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 commencement of the hearing, Donald G. Brotzman, as attorney for the above-named protestant, and the Applicant, Paul J. Lattner, stated that it was agreed that the within application should be amended, and accordingly it was moved to have said application amended, to provide for authority to extend operations under Permit No. B-6542 to include the transportation of ores and concentrates from the five existing mine dumps and the one mine in the vicinity of Gold Hill, Colorado, owned by Blue Bird Mining Corporation to the mill of the Blue Bird Mining Corporation located approximately 3 miles west of Pinecliffe, Colorado on Colorado Highway No. 72. This proposed amendment being restrictive in nature was allowed and the application

was considered as so amended. Thereupon, Mr. Brotzman, as Attorney for the Protestant, Pherson Trucking Company, announced that the protest of that company was being withdrawn.

Mr. Paul J. Lattner, the Applicant herein, appeared and testified in support of the granting of the instant application as amended, stating that he will contract with the Blue Bird Mining Corporation to transport the commodities herein sought; that he understands that the application as now amended provides for the transportation service to one customer only and only from and to dumps and mines as indicated; that he has ample and suitable equipment, sufficient net worth and operating experience to render the special service herein sought; and that if the authority is granted, he will continue to operate in accordance with all present and future rules, regulations and safety requirements of the Public Utilities Commission and all laws of the State of Colorado.

All motions granted by the Examiner herein 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 service; 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

## ORDER

Dated at Denver, Colorado,  
this 17th day of January, 1966.  
et



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF)  
NORTH AMERICAN DEHYDRATING CORP., )  
P.O. BOX 228, ROCKY FORD, COLORADO,) )  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS A PRIVATE CARRIER BY MOTOR )  
VEHICLE FOR HIRE. )

APPLICATION NO. 21579-PP

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January 17, 1966  
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Appearances: Rexford L. Mitchell, Esq.,  
Rocky Ford, Colorado,  
for Applicant;  
Randall L. Allmendinger,  
Vice President, Beman  
Motors Transportation,  
Inc., Rocky Ford, Colo-  
rado, Protestant.

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 sugar beets, loose hay, grains, baled alfalfa and other produce, between points within a radius from Rocky Ford, Colorado, west to Pueblo, north to Limon, east to the Kansas State Line, and south to Thatcher, 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, Monroe Gaines, Assistant Manager of the Rocky Ford Plant of North American Dehydrating Corporation, appeared and testified that he is acquainted with the representations made in the application of the Applicant corporation; that there was filed with the application a certificate from the Secretary of the State of California reflecting that the applicant is a California corporation; that attached to this certificate is a copy of the Articles of Incorporation of the applicant corporation; that applicant corporation is qualified to do business in the State of Colorado, that it owns and operates a plant at Rocky Ford, Colorado, which plant processes and pelletizes sugar sugar beet pulp, alfalfa, etc, and sells these products to ranchers and cattle feeders; that applicant corporation owns for the purpose of this type of transportation specialized equipment for hauling of sugar beets, loose hay, grains, alfalfa, etc. in bulk; that the net worth of the applicant corporation is in excess of \$75,000.00; that insurance as required by the Commission would be provided; that he, as well as the other employees of the applicant corporation, are acquainted with the rules, regulations and laws of the State of Colorado pertaining to private carriers and if the within permit is issued, would carefully observe the same.

Mr. Haines further testified that many sugar factories in the area of Rocky Ford, Colorado, have requested the assistance of the applicant in hauling sugar beets from central dumping points to the sugar plant for processing; that much of this need was occasioned by the recent floods; that this type of transportation is seasonal, usually from October to March of each year; that the sugar factories require a constant and continuous supply of sugar beets to their processing plants from dumping points in the area; that during the processing season the sugar plants operate 24 hours a day and therefore, the transportation service to them must be available on the same basis.

This witness also stated that many growers of green chopped alfalfa in the area had requested the applicant to provide transportation service from their farms to the plant of the applicant for processing; that in many cases the product continues to be owned by the farmer, however, the applicant also purchases the sugar beet pulp, green chopped alfalfa, and hay on its own account for processing and sale in pelletized form; that the major transportation would be commodities in bulk, however there has been expressed a need to also transport baled alfalfa and hay under certain circumstances; that because of the difficulty some farmers have had in transporting baled hay and alfalfa to the plant of the applicant, such products were not transported and depreciated in value by having to remain in the fields.

The witness identified Exhibit A as a list of farmers who produce green chopped alfalfa in the area for processing at the North American Dehydrating Corporation; Exhibit B as a letter from James Paul Kitch, who operates a large scale cattle feeding operation, which states that there is a definite need for this type of specialized transportation service and that the applicant does possess the type and size of equipment required to transport the commodities; and Exhibits C and D as letters from two sugar companies indicating a need for the transportation facilities of the applicant in the area herein sought.

Alfred E. Owens, Colorado Springs, Colorado, appeared and testified that he is engaged in the grain and feed business with offices at Ordway and Limon; that he purchases pellet products for livestock feeding from the applicant corporation; that in many cases it would be most convenient to hire the transportation service of the applicant for purpose of delivering such products to large feed lot customers; that the applicant has side and belly dump trailers which are most desirable in the transportation loading and unloading of feed products in bulk; that if the within application is granted, he will use the services of the applicant; and that he is unaware of any common carriers in the area who have the special equipment and the experience to transport these commodities.

Charles D. Gillan, Rocky Ford, Colorado, stated that he is the Agricultural Superintendent for the plant of the American Crystal Sugar Company located at Rocky

Ford, Colorado; that there is presently an urgent need on the part of his company to have available the type of transportation facility which the applicant possesses; that the applicant's equipment is of a specialized nature required in the loading of sugar beets and the proper unloading of this commodity at the processing plant; that if the within application is granted, the facilities of the applicant will be used by his company and, in fact, will result in substantial benefit to his company; that much of the urgency with respect to the transportation of sugar beets from supply dumps to the plant is occasioned by the recent floods which has disrupted transportation by rail of this commodity.

Randall L. Allmendinger testified that he is Vice President and General Manager of Beman Motors Transportation, Inc., Rocky Ford, Colorado which operates under PUC No. 641 and PUC No. 641-I; that his company possesses the equipment to provide at least some of the transportation service indicated in the application; that, however, his company was not interested in transporting green chopped alfalfa and some of the other commodities requested in the application; that his company could handle the transportation of sugar beets from supply dumps to the processing plants. However, on cross-examination, he stated that at the present time Beman Motors, Inc. does not own any side dumping equipment which is required in delivering sugar beets to the processing plants of the sugar companies. The witness did, however, indicate that if

his company was given an opportunity to transport sugar beets, that perhaps such equipment could be provided. Mr. Allmendinger stated that his company has not in the past transported sugar beets for any of the sugar companies in the 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 there is a need in the area for the specialized type of transportation service proposed by the applicant; that applicant corporation will have sufficient net worth, experienced personnel and the specialized equipment with which to render the proposed transportation service; 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 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 North American Dehydrating Corp., a California corporation, Rocky Ford, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sugar beets,

loose hay, grains, baled alfalfa and other produce, between points within a radius from Rocky Ford, Colorado, west to Pueblo, north to Limon, east to the Kansas State Line, and south to Thatcher, 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 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 this Commission.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Alvin E. Zuluaga*  
*Donald B. Miller*

*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 17th day of January, 1966.

et



(Decision No.66621)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION )  
OF DENNIS D. SMITH, DOING BUSINESS )  
AS "SMITH TRUCK LINE," 2610 FAIR- )  
MONT, COLORADO SPRINGS, COLORADO, )  
FOR AUTHORITY TO EXTEND OPERATIONS )  
UNDER PERMIT NO. B-2209 TO INCLUDE )  
THE FOLLOWING DESCRIBED TERRITORY, )  
TO-WIT: THAT PORTION OF ELBERT )  
COUNTY NOT HERETOFORE SERVED BY ) APPLICATION NO. 21175-PP-  
THE APPLICANT OR SERVED PURSUANT ) Extension  
TO PUC CERTIFICATE NO. 3019; AND )  
THAT PORTION OF EL PASO COUNTY )  
LYING NORTH OF HIGHWAY NO. 24 AND )  
WEST OF A LINE DRAWN NORTH AND )  
SOUTH THROUGH THE TOWN OF CALHAN, )  
COLORADO, NOT HERETOFORE SERVED BY )  
THE APPLICANT. )

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January 14, 1966  
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Appearances: Mervin A. Ziegler, Esq.,  
Colorado Springs, Colo-  
rado, for Applicant;  
Robert M. Girard, for  
Denver Milk Producers,  
Denver, Colorado, as  
Interest may appear;  
Leonard Wallden, for Hill  
Top Denver Truck Line,  
Protestant.

S T A T E M E N T

BY THE COMMISSION:

Dennis D. Smith, doing business as Smith Truck Line,  
Colorado Springs, Colorado, is the owner and operator of Permit  
No. B-2209, authorizing:

Transportation of milk and cream, in bulk and  
in cans, to Colorado Springs from Elbert, and  
from farmers residing within the area extend-  
ing 3 miles south, 11 miles north, and 11 miles

west of his home, and the east boundary of said area being a line drawn north and south through his home, which is located about 11 miles southwest of Elbert, (use center of the East-West Section line between Sections 16 and 21, Township 10 South, Range 65 West of the 6th P.M. for starting point) Douglas County, Colorado, and the transportation of sacked feeds from Colorado Springs, and coal from mines in Elbert County to said milk customers. Transportation of same commodities now authorized, and in the same manner, between points and over route or routes within the area extending 20 miles south, 3 miles east, 11 miles north and 11 miles west of his home, which is located about 11 miles southwest of Elbert, including transportation of sacked feeds from Colorado Springs, and coal from mines in Elbert County, to milk customers in said described area. Dec. #48226. EXTENDED TO: Authorized to extend his territory south to U. S. Highway No. 24, and west to Teller and Douglas County Lines; extended to include milk, in bulk, in that part of Elbert County south of Colorado Highway No. 86 and west of Colorado Highway 217; all of Douglas County and El Paso County south of Highway No. 94, and U. S. Highway No. 24, east of a line drawn north and south through Calhan, Colorado; milk, in bulk, from or to distributors in Colorado Springs, Colorado, and Pueblo, Colorado, to and from any other distributors in the State of Colorado, south of a line extending the Douglas-El Paso County Line, to the east and west.

By the instant application, said Permit-holder seeks authority to extend his operations to include the territory set forth in the application.

Said application, pursuant to prior setting, and after appropriate notice to all parties in interest, was heard on Friday, June 4, 1965, at the auditorium, County Office Building, 27 East Vermijo Street, Colorado Springs, Colorado, and at the conclusion of the evidence the matter was taken under advisement.

Applicant testified that he has been operating under Permit No. B-2209 for over 25 years, has a net worth of over \$25,000.00, knows the regulations of the Commission, has ample

equipment, and that he has received requests from 10 producers who are members of Intermountain Dairy Association to provide service in the requested area. Received at the hearing was Exhibit A, being a map showing the present authority in red, with new area requested to be added in green. Mr. Smith stated that Temporary Authority has been granted and he has been providing service under such temporary authority for some time. The only protestants at the hearing indicated they did not protest the application as long as it was understood that the delivery point of any milk transported would be in the Colorado Springs area, rather than Denver. It was confirmed that the Colorado Springs area was the only area requested in the application and that applicant does not seek to haul any milk to Denver. There were no other protests or objections presented at the hearing. It did not appear that applicant's extended motor vehicle service would impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

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

No reason appears by the request of the applicant should not be granted.

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

##### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part hereof by reference.

That the requested Extension of the applicant's territory is compatible with the public interest, and the applicant should be authorized to extend his operations under Permit No. B-2209 as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

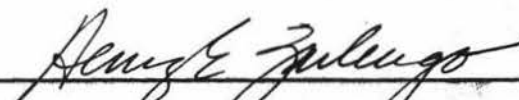
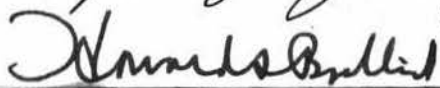
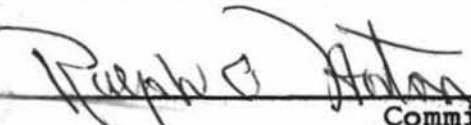
That Dennis D. Smith, doing business as Smith Truck Line, be, and he hereby is authorized to extend his operations under Permit No. B-2209 to include the transportation of milk and dairy products in the following described areas:

All of Elbert County; all that part of El Paso County lying North of U. S. Highway No. 24; all of Douglas County lying East of the South Platte River

to receiving plants in and around the Colorado Springs area.

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 14th day of January, 1966.

et.

(Decision No. 66622)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION )  
OF VIRGIL L. BRAUER, DOING BUSI- )  
NESS AS "BRAUER MILK LINE," 2730 )  
EAST BIJOU, COLORADO SPRINGS, )  
COLORADO, FOR A CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY )  
AUTHORIZING EXTENSION OF OPERA- )  
TIONS UNDER PUC NO. 3019. )

APPLICATION NO. 21176-  
Extension

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January 14, 1966  
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Appearances: Mervin A. Ziegler, Esq.,  
Colorado Springs, Colorado,  
for Applicant;  
Robert M. Girard, for Denver  
Milk Producers, Denver, Colo-  
rado, as Interest May appear;  
Leonard Wallden for Hill Top  
Denver Truck Line, Protestant.

S T A T E M E N T

BY THE COMMISSION:

Virgil L. Brauer, doing business as "Brauer Milk Line",  
Colorado Springs, Colorado, is the owner and operator of PUC  
No. 3019 authorizing:

Transportation of milk and dairy products in the  
following territory: Southerly limits to be easterly  
from the intersection of Colorado State Highway No.  
94 and U. S. Highway No. 24 east of Colorado Springs,  
Colorado, following Colorado State Highway No. 94 to  
Ellicott; thence south ten miles; thence east to a  
point ten miles south of Rush; thence north twenty-  
four miles, more or less, through Rush to the inter-  
section with County Road No. 48; thence westerly  
approximately 11 miles to the intersection with U. S.  
Highway No. 24; thence southwesterly along U. S.  
Highway No. 24 to its intersection with Colorado State  
Highway No. 94, the place of beginning; also the area  
included within a distance of three miles on each side  
of County Road No. 521 from Calhan north to the El  
Paso County Line; milk and dairy products, in cans

and in bulk, in tank vehicles, within the following described territory: beginning at the intersection of Highway No. 94 and Highway No. 24 east of Colorado Springs, Colorado, following Highway No. 94 to the Northwest corner of Sec. 16, T 14 S, R 65 W, 6th P.M.; thence south ten miles; thence east to the northeast corner of Section 3, T 16 S, R 60 West; thence north to the southeast corner of Sec 34, T 11 S, R 60 W, located on El Paso County Road No. 48; thence east on said road one mile; thence north to intersect U. S. Highway No. 24 at Simla, Colorado; thence following said Highway southwesterly to the Town of Ramah, Colorado; thence north to a point five miles north of the El Paso County line; thence west fourteen miles; thence south to intersect U. S. Highway No. 24 at a point three miles east of Peyton, Colorado; thence following U. S. Highway No. 24 to the place of beginning. Dec #59727: EXTENDED: To include transportation of milk and dairy products in the following described territory: Beginning at the northwest corner of Sec. 6 T. 16 S, R 64 W. of the 6th P.M., extending thence south along Section Lines to the southwest corner of Sec. 31, T 17 S, R 64 W of the 6th P.M., being the south line of El Paso County; thence easterly along the south line of El Paso County to the southeast corner of Sec 36, T 17 S, R 63 W of the 6th P.M.; thence north along section lines to the northeast corner of Sec 1, T 16 S, R 63 W of the 6th P.M.; thence westerly along Section Lines to the place of beginning, El Paso County, Colorado.

By the instant application, said certificate-holder seeks authority to extend his operations covering the transportation of milk and dairy products to include the territory described in the Application, to-wit:

All of El Paso County lying south of U. S. Highway 24 and East of Highway 85-87 not heretofore served by him under PUC No. 3019 and extension thereto.

Said application, pursuant to prior setting, and after appropriate notice to all parties in interest, was heard on Friday, June 4, 1965, at the auditorium, County Office Building, 27 East Vermijo Street, Colorado Springs, Colorado, and at the conclusion of the evidence the matter was taken under advisement.



Applicant testified that he has been operating under Certificate No. 3019 for over four years, has a net worth of about \$25,000.00, knows the regulations of the Commission, has ample equipment, and that he has received numerous requests from milk producers to provide service in the additional area sought for certification. Received at the hearing was Exhibit A, being a map showing the present authority in red, with new area requested to be added in green. Mr. Brauer stated that temporary authority had been issued, and that Applicant had been operating under such temporary authority for some time. The only protestants at the hearing indicated they had no objections and did not protest the application as long as it was understood that the delivery point of any milk transportation would be in the Colorado Springs area, rather than in Denver. It was confirmed that the Colorado Springs area was the only area requested in the application and that applicant does not seek to haul any milk in Denver. There were no other protests or objections presented at the hearing.

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

We note that the authority of applicant as set forth hereinabove is lengthy, cumbersome, and difficult to follow. Order provisions to follow will coordinate all of such present authority with the extended authority granted herein, and the simplified description will supercede prior description.



## F I N D I N G S

### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part hereof by reference.

That public convenience and necessity require the extended motor vehicle common carrier service of applicant herein, 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 public convenience and necessity require the extended motor vehicle common carrier transportation service of Virgil L. Brauer, doing business as "Brauer Milk Line," 2730 East Bijou, Colorado Springs, Colorado, under PUC No. 3019, to include the right to transport milk and dairy products in all of El Paso County lying South of U. S. Highway No. 24 and East of Highway No. 85-87 to receiving plants in and around the Colorado Springs area, and this Order shall be taken and held to be a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY thereby.

That PUC No. 3019 should be and hereof is consolidated to read as follows:

"Transportation of milk and dairy products in the following territory:

- a. All of that portion of El Paso County lying South of U. S. Highway No. 24, and East of Highway No. 85-87.
- b. That portion of Elbert County described as beginning at the Town of Simla, thence south to the El Paso County boundary line, thence west to U. S. Highway No. 24, thence along said U. S. Highway No. 24 to the Town of Simla.
- c. Those portions of El Paso and Elbert Counties included in an area described as beginning at the Town of Ramah, thence 5 miles north, thence 14 miles west, thence south to U. S. Highway

No. 24, thence along U. S. Highway No. 24  
to the Town of Ramah,  
and transportation of milk and dairy products  
from the territory hereinabove described to  
receiving plants in and around the Colorado  
Springs area.

This description shall supercede and replace all previous  
descriptions of this authority.



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

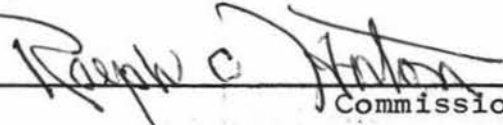
That Applicant shall operate his carrier system in  
accordance with the Order of the Commission, except when pre-  
vented by Act of God, the public enemy or extreme conditions.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 14th day of January, 1966.

et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION )  
OF LEONARD DeLUE, D. J. SEBERN, T. W. )  
RINKER, E. L. DeLUE AND TED P. RINKER )  
A PARTNERSHIP, DOING BUSINESS AS )  
"ARMORED MOTORS SERVICE," 970 YUMA )  
STREET, DENVER, COLORADO, FOR A CER- )  
TIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY TO OPERATE AS A COMMON CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 21653

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January 17, 1966  
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Appearances: Herbert M. Boyle, Esq., Denver,  
Colorado, for Applicant.

S T A T E M E N T

BY THE COMMISSION:

On November 19, 1965 the Applicants herein filed with the Commission an application seeking a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire. On December 13, 1965 the Commission set the matter for hearing for Thursday, January 13, 1966 at 10 o'clock A. M. in the Hearing Room of the Commission at 532 State Services Building, Denver, Colorado.

After notice to all proper parties, the matter was called for hearing at said time and place. Upon the calling of such matter for hearing, the applicant moved to dismiss the application and such motion was granted by the presiding Commissioner, with the Statement that a written order of the dismissal would follow.

O R D E R

THE COMMISSION ORDERS:

The Commission orders that Application No. 21653 be, and the same hereby is, dismissed without prejudice.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry E. Paulsen  
Norman Butler  
Joseph C. Austin  
Commissioners

Dated at Denver, Colorado,  
this 17th day of January, 1966.

(Decision No. 66624)

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

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January 17, 1966  
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Appearances: Paul Q. Beacom, Esq.,  
Denver, Colorado, for  
Applicant;  
Robert P. Grueter, Esq.,  
Denver, Colorado, for  
Metropolitan Trash Re-  
moval, Inc., Alex  
Gerlach and Best-Way  
Disposal.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The above-styled application was set for rehearing and heard on November 3, 1965. Applicant seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of ashes, trash, and other waste materials, for the City of Westminster, only, from the Standley Lake Recreation Area, to regularly designated and approved dumps and disposal places outside Westminster, Colorado.

The Applicant is the holder of certificate PUC No. 4277 which authorizes transportation of ashes and trash

in the area of Westminster, Colorado, only. In this application the Applicant seeks authority as a private carrier for the removal of ashes and trash from the Standley Lake Recreation Area, which is located approximately 5 miles northwest of Westminster. This area is operated by the City of Westminster, with which City he had a continuing contract, evidenced by Purchase Order No. 1123 of the City of Westminster, being Applicant's Exhibit No. 1. Applicant has provided service under a temporary ninety (90) day authority issued to him, which authority has expired.

Applicant testified in support of his application as to his financial ability and equipment for carrying on the service for which he seeks authority. From the testimony it appears that the City entered into the arrangement for his service after some inquiry made with other carriers, Applicant being chosen because of confidence in his ability to provide said service. Under cross-examination, the Applicant testified that the trash is placed in barrels provided by him, is dumped into his truck, compressed, and taken to the dump. His testimony remained unshaken that he has not transported trash under his certificate of public convenience and necessity and under the temporary private authority in the same vehicle at the same time. It appears that the Applicant has over 1100 residential customers in Westminster.

William J. Mosier testified in support of the application that he is Superintendent of Streets in

Westminster, Colorado; that he negotiated for the services of the applicant relative to the removal of ash and trash from the Standley Lake area; that he obtained a quotation for the City from Alex Gerlach under whose quotation the City would have had to furnish barrels, and pay him extra if barrels were not furnished, at the rate of \$100 plus per month; that Clayton Decker, another carrier, indicated he was not interested in rendering the service; that the applicant when contacted agreed to furnish the services at \$80.00 per month, furnish 20 barrels and paint the same white; that he was under orders to obtain the best price he could for the City and the best services; that the services of the applicant under his temporary authority were very satisfactory.

Paul F. Seaman, Director of Public Works for the City of Westminster, also testified in support of the application to the effect that he participated in the negotiations with the applicant; that no complaints have been received as to the applicant's services. Under cross-examination he testified that he did not contact any other trash haulers but that the services of applicant were done satisfactorily and economically which is what the City is interested in.

Alex Gerlach testified in protest to the application to the effect that he is the holder of PUC No.5342; that he serves some 1800 customers in Jefferson County, 60% of whom are residential and 40% of whom are commercial; that he quoted a price to Mr. Mosier and was told that he



would be informed as to the decision. He denied, as was testified to, that he quoted the figure of \$100 per month. This witness testified that he did not know whether the loss of such business would impair his own business but that the additional business is important to him. He further testified on cross-examination that he would now provide the service at the same price as applicant.

Marion Gilreath testified that he is associated with Metropolitan Trash Removal, Inc.; that his company is the holder of PUC No. 2127 and PUC No. 5342. The substance of this witness' testimony was to the effect that the more business he has the more efficiently he can operate. On cross-examination he testified that he would do the job for \$72.00 per month; that if the authority is granted to the applicant it could result in possible loss of potential business to him; that his gross business is approximately \$10,000 per month.

Best-Way Disposal, the other protestant for whom an appearance was entered did not present any evidence as a witness could not appear because of a death.

Considering the record and all the evidence in the case it appears to the Commission that in this case the common carriers were at the very least reluctant in fulfilling their obligations as common carriers; that the method for arriving at a charge to be made is substantially based on "charging what the public can bear."

The Commission is of the opinion that the proposed operation by the Applicant will not impair the efficient

public service of any authorized motor vehicle common carrier or carriers serving the same territory, over the same general highway route, or routes.

The Commission is satisfied with the financial standing of the Applicant and his equipment to provide the transportation needs of the City of Westminster as indicated.

The Commission finds that granting the authority requested will be in the public interest and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Robert A. Gosselin, doing business as "R & R Trash Removal Service," Westminster, 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, and other waste materials, for the City of Westminster, only, from the Standley Lake Recreation Area, to regularly designated and approved dumps and disposal places outside Westminster, 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 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 this Commission.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry E. Zalusko  
Donald B. Miller

Ralph C. Nelson  
Commissioners

Dated at Denver, Colorado,  
this 17th day of January, 1966.

et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
PLATEAU NATURAL GAS COMPANY, 20 )  
BOULDER CRESCENT, COLORADO SPRINGS, )  
COLORADO, FOR AUTHORITY TO ACQUIRE )  
EXISTING CERTIFICATES OF PUBLIC ) APPLICATION NO. 21670  
CONVENIENCE AND NECESSITY AND ALL OTHER )  
ASSETS OF KANSAS-COLORADO UTILITIES, )  
INC., 20 BOULDER CRESCENT, COLORADO )  
SPRINGS, COLORADO, THROUGH MERGER )  
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January 17, 1966  
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Appearances: Cool & Phillips, Esqs.,  
Colorado Springs, Colorado,  
by John A. Phillips, Esq.,  
for Applicant;  
B. D. Maggard, 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:

On November 29, 1965, Plateau Natural Gas Company (Plateau) and Kansas-Colorado Utilities, Inc., (Kansas-Colorado) jointly filed an Application with this Commission seeking an order preliminary to a final order authorizing Plateau to acquire existing certificates of public convenience and necessity and all other assets of Kansas-Colorado through merger.

The matter was set for hearing after due notice to all interested parties on Friday, December 17, 1965, at 10:00 o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The application was heard on said date. No one appeared at the hearing in opposition to the granting of the application. At the conclusion of the hearing, the matter was taken under advisement by the Commission.

Plateau is a corporation, organized and existing under and by virtue of the laws of the State of Colorado, and is a public utility operating company subject to the jurisdiction of this Commission, engaged, inter alia, in the purchase, distribution and sale at retail of natural gas in various municipalities and areas adjacent thereto in the State of Colorado and elsewhere. A certified copy of Plateau's Articles of Incorporation, together with all amendments thereto, has heretofore been filed with this Commission.

Kansas-Colorado is a Kansas corporation, duly qualified to transact business within the State of Colorado, with power to purchase, transport, sell and distribute natural gas and is a natural gas pipeline company principally engaged in the purchase, production, transmission and sale of natural gas at the town borders of various cities, towns and communities in the States of Colorado, Kansas, Oklahoma, Texas and New Mexico. A certified copy of Kansas-Colorado Articles of Incorporation, together with all amendments thereto, has heretofore been filed with the Commission.

Kansas-Colorado is a wholly-owned subsidiary of Plateau. Kansas-Colorado is engaged principally in the interstate transmission of natural gas and is subject to the jurisdiction of the Federal Power Commission. In Application Nos. 18608 and 19463, Kansas-Colorado received authority from this Commission to construct facilities and make sales of gas within the State of Colorado subject to the jurisdiction of this Commission.

There was received in evidence at the hearing as Exhibit "A" a conformed copy of the Joint Plan of Merger and Agreement of Merger, which exhibit contains the merger provisions. Exhibit "B" was a map showing the location of the pipeline facilities that Plateau will acquire from Kansas-Colorado through the merger. Exhibit "C", Securities of Plateau and Kansas-Colorado, Exhibit "D", Consolidating Balance Sheet at September 30, 1965, and Exhibit "E", Consolidating

Income Statement for twelve months ended September 30, 1965, all show the financial ability of Plateau to render the service now rendered by Kansas-Colorado.

Mr. Hassell M. Sanders, Secretary and Treasurer of Plateau, testified that, had the purchase and sale been concluded on September 30, 1965, there would have been a net gas plant acquisition adjustment of \$222,019 on the balance sheet of Plateau Natural Gas Company. Mr. Sanders stated that Plateau would be willing to accept a condition in this Order to the effect that such gas plant acquisition adjustment would be excluded from rate base in any future rate proceeding. Mr. Sanders further testified that gas plant, expense and income accounts of Plateau would be segregated by states.

Mr. S. W. Jervis, Vice President of Plateau, and Mr. Sanders testified as to several benefits for both of the companies and their customers which would grow out of the proposed merger. Items of saving would result from the elimination of duplication in audits, reports, returns and from reduced financing costs.

Plateau has filed or will file applications with the Federal Power Commission and Kansas Corporation Commission seeking authority from those Commissioners to carry out the proposed merger.

The Commission has reviewed the instant application and the evidence presented by Applicant in support thereof, and is of the opinion that the authority sought by Plateau and Kansas-Colorado should be granted.

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

##### THE COMMISSION FINDS:

That the Commission has jurisdiction of Plateau and Kansas-Colorado herein, and of the subject matter involved in the instant Application.

That the Commission is fully advised in the premises.

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

That the proposed acquisition by Plateau of all of the assets of Kansas-Colorado through merger, as proposed under the provisions of Exhibit "A", referred to in the foregoing Statement, is consistent with the public interest and should be approved, provided that Plateau shall not be permitted to include in its rate base for rate making purposes in any future rate case any part of the gas plant acquisition adjustment resulting from such acquisition.

That Plateau is financially able to acquire the assets and to render the natural gas service heretofore rendered by Kansas-Colorado.

That the certificates of public convenience and necessity heretofore issued by this Commission to Kansas-Colorado should be transferred to Plateau, effective on the completion of the merger.

#### O R D E R

##### THE COMMISSION ORDERS:

That the proposed acquisition by Plateau of all of the assets of Kansas-Colorado through merger, as proposed under the provisions of the agreement, Exhibit A, referred to in the foregoing Statement, be, and it hereby is, approved, provided that Plateau shall not be permitted to include in its rate base for rate making purposes in any future rate case any part of the gas plant acquisition adjustment resulting from such merger.

That the certificates of public convenience and necessity heretofore issued by this Commission to Kansas-Colorado in Applications 18608 and 19463 be, and they hereby are, transferred to Plateau.

That the merger and transfer of certificates authorized herein shall become effective on the filing with this Commission of a certified copy of Articles of Merger issued by the Secretary of State of the State of Colorado, provided that this Order shall be void and of no effect if a certified copy of the Articles of Merger has not been filed with this Commission on or before one year from the date of the Order herein.



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

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado  
this 17th day of January, 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
C. R. WIDDISON, BOX 483, SAGUACHE, )  
COLORADO, FOR A CLASS "B" PERMIT TO ) APPLICATION NO. 21450-PP  
OPERATE AS A PRIVATE CARRIER BY ) SUPPLEMENTAL ORDER  
MOTOR VEHICLE FOR HIRE. )  
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January 18, 1966  
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Appearances: Elizabeth A. Conour, Esq., Del Norte,  
Colorado, for Applicant

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On October 7, 1965, the Commission entered its Decision No. 66008 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 the requirements set forth in said Decision No. 66008, viz., has failed to file certificate of insurance and Customer List.

The Commission states and finds that inasmuch as applicant has not fulfilled requirements set forth in Decision No. 66008, operating rights granted thereby should be revoked, as set forth in the Order following.


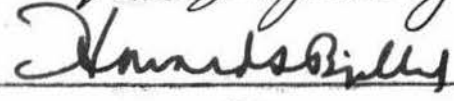

O R D E R

THE COMMISSION ORDERS:

That operating rights granted to C. R. Widdison, Saguache, Colorado, by Decision No. 66008, dated October 7, 1965, be, and the same hereby are, revoked, for failure of applicant to comply with requirements set forth in said Decision No. 66008.

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 January, 1966.

ls

(Decision No. 66627)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DAVID N. STRAUSS, 6921 COLORADO )  
BOULEVARD, COMMERCE CITY, COLORADO, ) APPLICATION NO. 21482-PP-Extension  
FOR AUTHORITY TO EXTEND OPERATIONS ) SUPPLEMENTAL ORDER  
UNDER PERMIT NO. B-6275. )  
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January 18, 1966  
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Appearances: Marjorie M. Elliott, Commerce  
City, Colorado, for Applicant.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On October 18, 1965, the Commission entered its Decision No. 66090 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 the requirements set forth in said Decision No. 66090, viz., has failed to file a Tariff.

The Commission states and finds that inasmuch as applicant has not fulfilled requirements set forth in Decision No. 66090, operating rights granted thereby should be revoked, as set forth in the Order following.


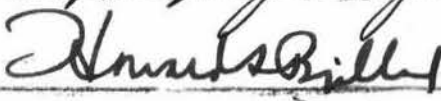
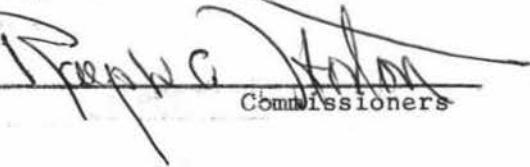
O R D E R

THE COMMISSION ORDERS:

That operating rights granted to David N. Strauss, Commerce City, Colorado, by Decision No. 66090, dated October 18, 1965, be, and the same hereby are, revoked, for failure of applicant to comply with requirements set forth in said Decision No. 66090.

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 January, 1966.

(Decision No.66628)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION)  
OF NORMAN L. CLARK, DOING BUSI- )  
NESS AS "NORMAN CLARK LOGGING," )  
P. O. BOX 398, ANTONITO, COLO- )  
RADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )

APPLICATION NO. 21440-PP  
SUPPLEMENTAL ORDER

- - - - -

- - - - -  
January 18, 1966  
- - - - -

Appearances: Norman L. Clark, Antonito,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On October 7, 1965, the Commission entered its  
Decision No. 66006 in the above-styled application, grant-  
ing 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 the re-  
quirements set forth in said Decision No.66006, viz., has  
failed to file a Customer List.

The Commission states and finds that inasmuch as  
applicant has not fulfilled requirements set forth in  
Decision No. 66006, operating rights granted thereby  
should be revoked, as set forth in the Order following.

O R D E R

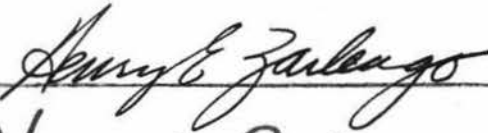
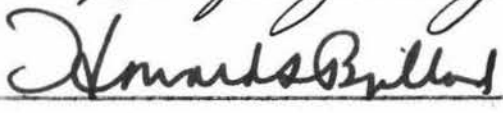

THE COMMISSION ORDERS:

That operating rights granted to Norman L. Clark,  
doing business as "Norman Clark Logging," Antonito, Colo-

rado, by Decision No. 66006, dated October 7, 1965, be,  
and the same hereby are, revoked, for failure of Applicant  
to comply with requirements set forth in said Decision No.  
66006.

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 January, 1966.

et.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION )  
OF FRANK KUTA, 630 MCINTYRE, )  
GOLDEN, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR )  
HIRE. )  
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APPLICATION NO. 21644-PP

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January 18, 1966  
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Appearances: Frank Kuta, Golden, Colo-  
rado, pro se;  
Edward T. Lyons, Esq.,  
Denver, Colorado, and  
Robert P. Grueter, Esq.,  
Denver, Colorado, for  
Red Ball Motor Freight,  
Inc., Westway Motor Freight,  
Inc., and North Eastern  
Motor Freight, Inc.;  
John P. Thompson, Esq.,  
Denver, Colorado, for  
Denver Climax Truck Line,  
Inc.;  
Royce D. Sickler, Esq.,  
Denver, Colorado, for Rio  
Grande Motor Way, Inc.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicant herein seeks authority to operate as a  
Class "B" private carrier by motor vehicle for hire, for  
the transportation of sand, gravel, and other road-  
surfacing materials used in the construction of roads  
and highways, from pits and supply points in the State  
of Colorado to road jobs, mixer and processing plants  
within a radius of 100 miles of said pits and supply

points; sand 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; also, building materials, from and to building construction jobs, to and from points within a radius of 100 miles of said jobs.

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 commencement of the hearing, the applicant, Frank Kuta, moved to amend his application by deleting therefrom the last full sentence of the application, to-wit: "Also, building materials, from and to building construction jobs, to and from points within a radius of 100 miles of said jobs." The proposed amendment, being restrictive in

nature, was allowed and the application was considered as so amended. Thereupon the attorneys for the protestants above-named withdrew their protests.

Applicant testified in support of the granting of the amended authority as herein sought; that if the authority herein sought is granted, he will enter into special carriage contracts to provide needed and specialized service with certain shippers who have requested his proposed service; and 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 Kuta, Golden, 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 a statement of his customers, copies of all special contracts or memoranda of their terms, the

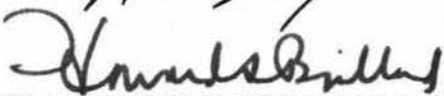
necessary tariffs, required insurance, and has secured authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
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\_\_\_\_\_

  
\_\_\_\_\_ Commissioners

Dated at Denver, Colorado,  
this 18th day of January, 1966.

et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
NORTH GLENN SUBURBAN COMPANY, A )  
COLORADO CORPORATION, 1805 BROADWAY, )  
DENVER, COLORADO, FOR A CERTIFICATE ) APPLICATION NO. 21690  
OF PUBLIC CONVENIENCE AND NECESSITY )  
TO OPERATE AS A COMMON CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
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January 18, 1966  
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Appearances: David Butler, Esq., Denver,  
Colorado, for Applicant;  
Raymond B. Danks, Esq., Denver,  
Colorado, for Denver Tramway  
Corporation.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On December 7, 1965, North Glenn Suburban Company, a Colorado corporation, filed Application No. 21690 with the Commission seeking authority to provide transportation of passengers and their baggage between, on the one hand, Denver, Colorado, and on the other, North Glenn, Colorado and intermediate points.

After due and proper notice to all parties in interest, the Applicant was heard on January 11, 1966 at 532 State Services Building, Denver, Colorado.

Mr. I. B. James, appearing in support of the application, testified that he is the sole stockholder of the Applicant. Mr. James testified as to the schedules of service proposed by the Applicant and that the equipment to be used by the Applicant in providing the service would initially be a single bus accommodating 37 passengers. Mr. James further testified that he would personally finance the operations of the Applicant, including paying the purchase price of the bus. Mr. James testified that delivery on

the bus ordered by the Applicant was expected during February and that the Applicant would not be ready to commence operations until such delivery was made. He further testified that Colorado Motorway, Inc., of which he is the controlling stockholder, was providing temporary service to North Glenn, which would be discontinued at such time as the Applicant was able to commence operations.

Mr. James also testified that he would accept the restriction that no passengers picked up by Applicant within the present limits of the City and County of Denver would be discharged within such limits, since it was the intent of the Applicant only to provide service between points outside Denver and points within Denver. Mr. Danks stated that in the light of this testimony, Denver Tramway Corporation did not object to the granting of the Application.

Mr. Joseph M. Spaulding of North Glenn also testified in support of the Applicant. Mr. Spaulding testified that he lived in North Glenn and worked in Denver, and that he would use the proposed service regularly in preference to travel by private automobile. Mr. Spaulding also testified that the population of North Glenn was approximately 25,000 and that the availability of bus transportation to Denver would be useful to residents of North Glenn and adjacent areas and would promote the growth and well being of these areas.

Counsel for the Applicant stated that the Applicant had intended to present testimony from Mr. Colby, the City Manager of Thornton, and Mr. Danahy, the President of the Kiwanis in North Glenn, but that due to unexpected other commitments, neither of these witnesses had been able to appear. It was stipulated by Mr. Danks that the testimony of those witnesses would have been substantially the same as that of Mr. Spaulding.

The Commission having considered the record, states and finds that there is a public need for service between the North Glenn area and Denver; that no common carrier is presently providing such service except for the service provided by Colorado Motorway, Inc.



under temporary authority; that the present or future public necessity require or will require the proposed service proposed by the Applicant; that the Applicant has adequate equipment and operating experience with which to render the proposed service; that Applicant's financial responsibility has been established to the satisfaction of the Commission; that due to the fact that extensive scheduled service has never been provided between Denver and North Glenn and might prove unprofitable after a trial period, the Applicant should be granted an authority which will expire six months after the effective date of the Order in the proceeding unless the Applicant shall inform the Commission in writing that it wishes for the authority to become permanent; and that the proposed authority should be granted on the terms set forth in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That the Applicant, North Glenn Suburban Company, be and hereby is authorized to transport passengers and their baggage between on the one hand, Denver, Colorado, and on the other, North Glenn, Colorado, serving all intermediate points, subject to the restriction that no passenger picked up within the present limits of the City and County of Denver shall be discharged within said limits; and would not remain in a bus stop utilized by Denver Tramway longer than necessary to receive or discharge passengers, and this Order shall be deemed to be a Certificate of Public Convenience and Necessity therefor.

That Applicant shall not be required to commence service until it has received the equipment presently on order with which the service is to be performed, and has placed that equipment in operating condition.

That the Applicant shall be permitted to operate for a period ending six months after the effective date of this Order, at which time the authority granted under this Certificate shall expire unless

the Applicant shall inform the Commission in writing that it desires to have this Certificate become permanent, and upon receiving such information, the Commission shall issue its Order making this Certificate permanent.


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

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 18th day of January, 1966.

ls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HOWARD JENSEN AND AVANELL JENSEN, )  
DOING BUSINESS AS "H. JENSEN CON- )  
STRUCTION," 250 ALLYCE, GRAND ) APPLICATION NO. 21682-PP  
JUNCTION, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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January 18, 1966  
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Appearances: Howard Jensen, Grand Junction,  
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, Howard Jensen, one of the applicants 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 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; and 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 Jensen and Avaneil Jensen, doing business as "H Jensen Construction," Grant Junction, 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 fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply

points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, transportation of road-surfacing materials 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 applicants have filed a statement of their customers, copies of all special contracts of memoranda of their terms, the necessary tariffs, required insurance, and have secured authority sheets.


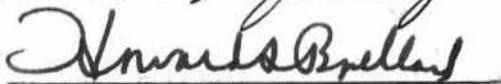
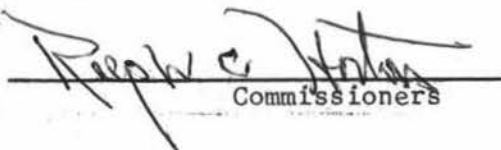
That the right of applicants to operate hereunder shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Dated at Denver, Colorado,  
this 18th day of January, 1966.

ls

  
  
  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
MONTROSE CONCRETE PRODUCTS COMPANY, ) PERMIT NO. M-1194  
P. O. BOX 573, MONTROSE, COLORADO. ) SUPPLEMENTAL ORDER  
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January 18, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On January 13, 1966, the Commission entered Decision No. 66577, cancelling Permit No. M-1194 as of December 17, 1965.

It now appears that this permit was cancelled in error and that said permit should be restored to active status.

The Commission states and finds that Decision No. 66577 should be set aside and Permit No. M-1194 should be restored to active status as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 66577, dated January 13, 1966, be, and the same hereby is, vacated, set aside and held for naught, and Permit No. M-1194 be, and the same hereby is, restored to active status, nunc pro tunc, as of said date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Dated at Denver, Colorado,  
this 18th day of January, 1966.

ls

Henry E. Baileys  
Donald B. Bell  
Ralph C. Horton  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
J. O. HOGG, 413 WEST 6th STREET, ) PERMIT NO. M-887  
PUEBLO, COLORADO 81001 )  
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January 20, 1966  
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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.

ORDER

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

Henry C. Zachary  
Howard S. Bjelland  
Joseph C. Horton  
Commissioners

Dated at Denver, Colorado,  
this 20th day of January 1966.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
SIMON GUTHIERREZ, 15 EAST 5th )  
AVENUE, LONGMONT, COLORADO 80501 ) PERMIT NO. M-8006  
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January 20, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

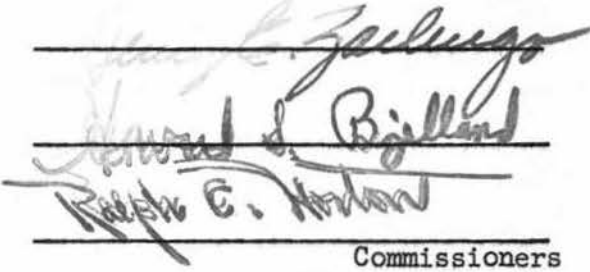
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 20th day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
STAR MOTOR AND SUPPLIES INCORPORATE  
1023 4th STREET, COUNCIL BLUFFS,  
IOWA

PERMIT M-11306

January 20, 1966

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.

ORDER

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

*Henry E. Ziehl*  
*Howard S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 20th day of January 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
E. P. MITCHAELS AND JOHN BLAKESLEE, )  
DOING BUSINESS AS, B AND M ROOFING ) PERMIT NO. M-11964  
COMPANY, POST OFFICE BOX 484, FORT )  
COLLINS, COLORADO 80521 )  
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January 20, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

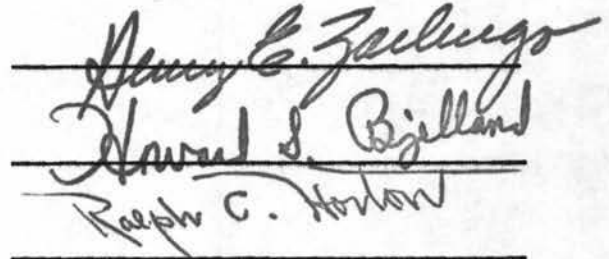
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,  
this 20th day of January 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF }  
ARTHUR LAWRENCE HUTCHISON, POST OFFICE }  
B OX, 241, HOLLY, COLORADO 81047 } PERMIT NO. M-11971  
}

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January 20, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

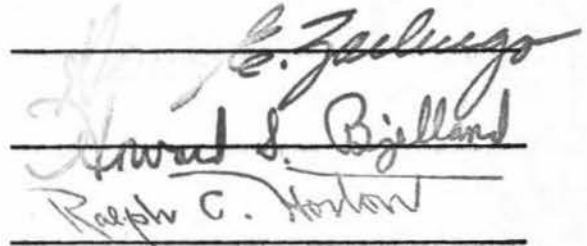
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 20th day of January 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF

MERLE BEERUP, 2105 AVENUE B,  
SCOTTISBLUFF, NEBRASKA 69361

PERMIT NO. M-12568

January 20, 1966

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.

ORDER

THE COMMISSION ORDERS:

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*E. Zedler*  
*Howard S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 20th day of January 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF }  
JAMES P. BIRMINGHAM, 71 HANSON LANE, }  
PUEBLO, COLORADO 81001 } PERMIT NO. M-12589

-----  
January 20, 1966  
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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.

ORDER

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

*E. Zaehner*  
*Edward S. Bjelland*  
*W. C. Norton*

Commissioners

Dated at Denver, Colorado,  
this 20th day of January 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
MELVIN E OAKLEAF, 301 LANE 27, ) PERMIT NO. M-13088  
PUEBLO, COLORADO 81001 )  
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-----  
January 20, 1966  
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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.

ORDER

THE COMMISSION ORDERS:

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry C. Ziehlings  
Howard S. Bjelland  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,  
this 20th day of January 1966.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF	}	PERMIT NO. M-13193
GEORGE M EDWARDS SR., ROUTE 1,		
PAONIA, COLORADO 81428		

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January 20, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

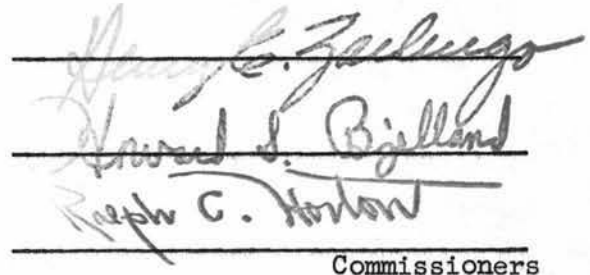
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 20th day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
R. L. HAWKINS AND ROBERT R. HAWKINS  
DOING BUSINESS AS, PYRAMID COMPANY,  
POST OFFICE BOX 801, LES ALAMES, NEW  
MEXICO, 87544  
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PERMIT NO. M-13224

-----  
January 20, 1966  
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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 December 14, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry E. Zeelings*  
*Edward S. Bjelland*  
*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado,  
this 20th day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
E. E. LONG, 2021 SOUTH PEARL STREET, )  
DENVER, COLORADO 80210 ) PERMIT NO. M-13419  
)

-----  
January 20, 1966  
-----

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective December 20, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,  
this 20th day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
MELVIN C. SWITZER, DOING BUSINESS AS )  
SWITZER BODY SHOP, BAILEY, COLORADO ) PERMIT NO. M-13532

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January 20, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

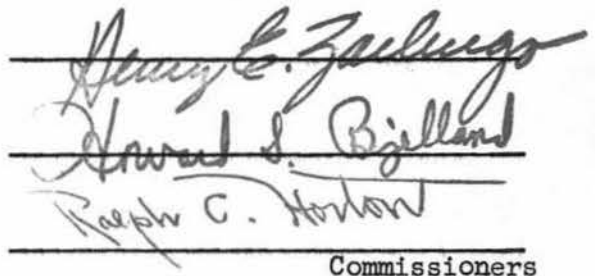
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective December 11, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 20th day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
HOWARD R. WELLS, DOING BUSINESS AS,  
MASTER BAKERS, 2807 HIGH, PUEBLO,  
COLORADO 81001

} Permit No. M-15573

January 20, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 12, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry C. Zaslavsky*  
*Howard S. Bjelland*  
*Ralph C. Norton*  
Commissioners

Dated at Denver, Colorado,  
this 20th day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF }  
QUINCE BROWNING, KREMMLING, }  
COLORADO 80459 } PERMIT NO. M-9277

January 20, 1966

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.

ORDER

THE COMMISSION ORDERS:

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry C. Fairbanks*  
*Howard S. Bjelland*  
*Ralph C. Norton*  
Commissioners

Dated at Denver, Colorado,  
this 20th day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
MANUEL VALDEZ, SR. BOX 5, VELARDE, ) PERMIT NO. M-6417  
NEW MEXICO )  
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January 20, 1966. - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

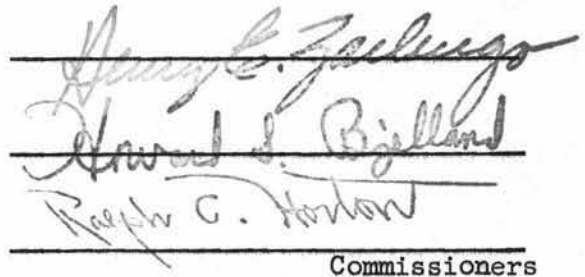
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 7, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 20th day of January 1966.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
HERBERT A PREUSS, BOX 24, KIRK,  
COLORADO, 80824

}  
}  
} PERMIT NO. M-13993  
}

-----  
January 20, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 10, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry E. Ziehlings*  
*Harold S. Bjelland*  
*Ralph C. Horton*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 20th day of January 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF }  
CHARLES J BLACK DOING BUSINESS AS, }  
HUB SALES COMPANY, BOX 5217, AMARILLO } PERMIT NO. M-14008  
TEXAS 79105 }

-----  
January 20, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

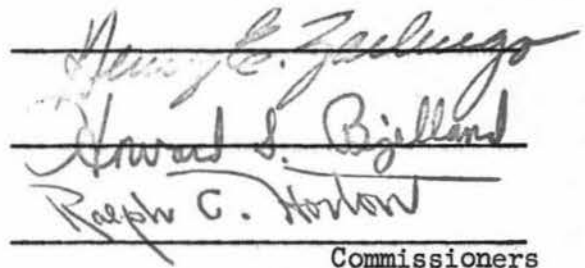
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 27, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 20th day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF }  
CHARLES R. NOBLE, ROUTE 1 BOX 36, } PERMIT NO. M-11910  
FOWLER, COLORADO 81039 }  
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-----  
January 20, 1966. --

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

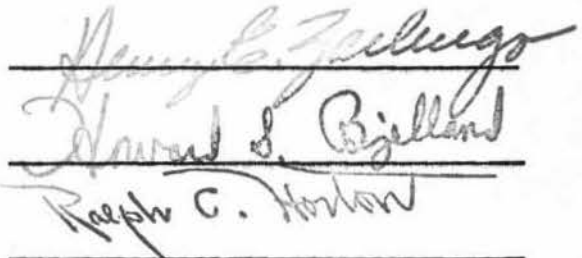
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 23, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Commissioners

Dated at Denver, Colorado,  
this 20th day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
LARRY H. BUENO, 570 SOUTH MEADE )  
STREET, DENVER, COLORADO 80219 ) PERMIT NO. M-1266

-----  
January 20, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

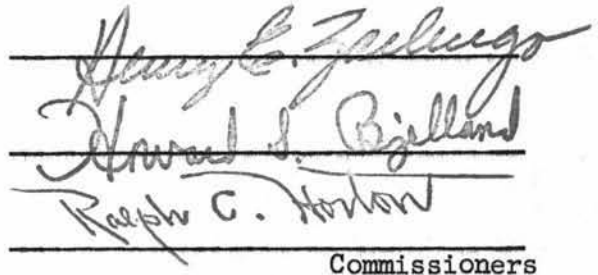
The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective December 20, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 20th day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
HUBERT LEE SUSKEY, POST OFFICE BOX )  
532, SAGUACHE, COLORADO 81149 ) PERMIT NO. M-10472

January 20, 1966

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.

ORDER

THE COMMISSION ORDERS:

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry E. Zaslavsky*  
*Howard S. Bjelland*  
*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado,  
this 20th day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
John Breckenridge  
Oakley, Kansas

PUC NO. 3190-I

January 18, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 6, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry E. Zaehner*  
*Howard S. Bjelland*  
*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado,  
this 18th day of January 1966  
et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
OTIS McLAIN, BOX 185, DEL NORTE  
COLORADO.

PERMIT NO.B-6754

-----  
January 18, 1966  
-----

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 22, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Denny E. Zaehner*  
*Harold S. Bjelund*  
*Ralph C. Anderson*

\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 18th day of January 1966.  
et



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
HUBERT LEE SUSKEY, P. O. BOX  
NO. 532, SAGUACHE, COLORADO.

PERMIT NO. B-6710

January 18, 1966

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.

ORDER

THE COMMISSION ORDERS:

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry C. Zaslau*  
*Howard S. Bjelland*  
*Ralph C. Norton*

Commissioners

Dated at Denver, Colorado,  
this 18th day of January 1966.  
et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
Larry H. Bueno )  
570 So. Meade Street )  
Denver, Colorado 80219 ) PERMIT NO. B-6633

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January 18, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

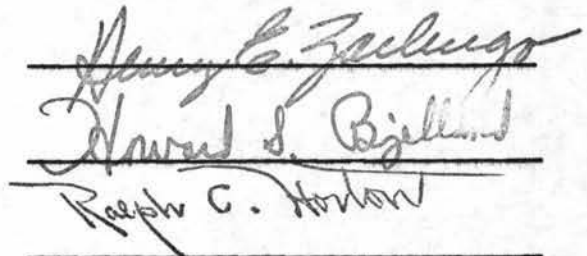
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective December 20, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 18th day of January 1966  
ls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
CHARLES R. NOBLE, RTE 1, BOX  
36, FOWLER, COLORADO.

PUC NO. 6257-I

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January 18, 1966  
-----

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 23, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry E. Zaichko  
Howard S. Bjelland  
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,  
this 18th day of January 1966.  
et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
HERBERT A. PREUSS  
KIRK, COLORADO

PUC NO. 5527-I

January 18, 1966

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.

ORDER

THE COMMISSION ORDERS:

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

January 10, 1966

until July 10, 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

*Herbert C. Zschalig*  
*Howard S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 18th day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
R. H. DITTMER, P. O. BOX 242,  
HUDSON, COLORADO.

PERMIT NO. B-5855

January 18, 1966

### 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.

## ORDER

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from  
January 8, 1966                      until        July 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. Zaehner  
Howard S. Bjelland  
Ralph C. Norton

Commissioners

Dated at Denver, Colorado,  
this 18th day of January 1966  
et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
JOE B. FRANCO, 3515 QUIVAS )  
STREET, DENVER, COLORADO. )

PERMIT NO.B-6074

-----  
January 18, 1966  
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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.

ORDER

THE COMMISSION ORDERS:

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

January 12, 1966                      until        July 12, 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. Zaehner*  
*Howard S. Bjelland*  
*Ralph C. Harkness*

\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 18th day of January    1966  
et



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF }  
JERRY P. DEAN, 4727 WEST 33RD. }  
AVENUE, DENVER, COLORADO. }

PERMIT NO. B-6725

-----  
January 18, 1966  
-----

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.

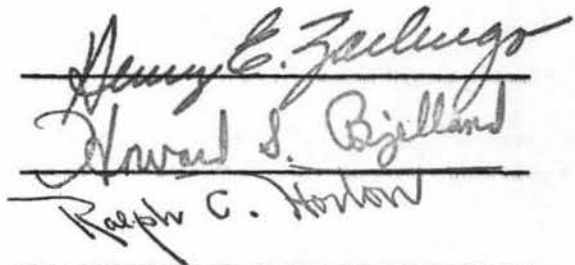
ORDER

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from  
November 16, 1965                      until      May 16, 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 18th day of January      1966  
et



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
D. W. BARBER, BOX 93, MERINO,  
COLORADO.

PERMIT NO. B-6799

January 18, 1966

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.

ORDER

THE COMMISSION ORDERS:

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

January 11, 1966                      until      July 11, 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. Ziehlings*  
*Howard S. Bjelland*  
*Ralph C. Hudson*

Commissioners

Dated at Denver, Colorado,  
this 18th day of January      1966

(Decision No. 66663)

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

- - - - -  
January 19, 1966  
- - - - -

Appearances: Akolt, Shepherd and Dick by  
Luis D. Rovira, Esq., Denver,  
Colorado, for Mountain States  
Telephone and Telegraph Company;  
John W. Graves, pro se, Timpas,  
Colorado;  
Paul M. Brown, 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:

On October 13, 1965 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 proposed regulations and a schedule 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.

By Decision No. 66348 of November 29, 1965, the Commission suspended the proposed tariff for a period of 120 days or until March 1, 1966 unless otherwise ordered. By this same Order, the Commission set the matter for hearing at the Commission hearing room, 532 State Services Building, Denver, Colorado on January 10, 1966 at 10:00

o'clock A.M. At said time and place this matter was heard on a joint record with I & S Docket No. 558 of Mountain States which has to do with a proposed change in rates and service for mobile telephone service. At the conclusion of the hearing, these matters were taken under advisement by the Commission.

Testimony at the hearing revealed that rural radio service is, in effect, the outgrowth of mobile telephone service, the principal difference being in rural radio service the radio is at a fixed location rather than in a motor vehicle. Mountain States has been rendering rural radio service on an experimental basis for approximately two years in Colorado. It presently is serving 8 customers in Colorado. As was previously stated, this is the outgrowth of mobile telephone service where a customer is located in a rather remote area where it would not be economically feasible to extend land lines to render telephone service. In order to obtain telephone service, some of the customers would subscribe to mobile service and then would park their mobile unit near their homes and use it as their needs dictated. This, over a period of time, proved very inconvenient. If the mobile units were used enough to keep the batteries charged, it quite frequently was away from home when the service was needed at that location. If the batteries were not kept in good condition, the service deteriorated as a result. The solution was finally arrived at by offering a fixed radio service with the proper equipment to not only keep the battery charged but with an adequate antenna system to provide good service. At present in Colorado

this service is on a very limited basis since, in most instances, either mobile telephone answers the needs of the customer or it is economically feasible to connect to land line service. It is conceivable that where rural radio service is presently being used, at some time in the future as land lines are extended, the customer will eventually connect to a land line, thereby eliminating the need for the radio service. There was no indication in this record that there would be a great demand for this type of service in the future.

The witness for Mountain States testified that rural radio service requires some additional equipment over similar mobile radio service and cited the instance of the necessity for a directional antenna and a higher cost of maintenance since the customer is unable to bring the radio in to Mountain States for service and therefore it is necessary to travel to the customer location for maintenance. As has been stated, Mountain States has been rendering this service in the past and, with this new filing, is proposing a rate that would be higher than that offered under its experimental basis. The new service will be an improved service in many respects over that previously offered, including a flat rate per month instead of the measured rate formerly offered. In addition, under the old rate if someone wished to call to the customer having a rural radio service, the customer originating the call would have to pay the additional charge if the rural radio location was outside the base rate area. Further, any toll calls from a rural radio station under the old rate were charged on a person-to-person basis only. The proposed new rate will offer to

the rural radio customer the standard toll rates. It will be noted that standard toll rates differ depending upon whether it is a person-to-person or station-to-station call and depending on the time of day. The new offering in fact gives the rural radio customer the chance to make toll calls at a lower rate as compared to the former rate.

The telephone company in accordance with the rules of the Commission notified the 8 customers receiving fixed radio service that it had filed the new tariff with the Commission which proposed to increase the rate and place this service on a flat rate basis. One of the 8 customers presently receiving service filed a complaint with the Commission, alleging that this would be an increase of approximately \$10 per month over his present rate. Mr. John W. Graves, Manager of the Schneider Ranch, testified at the hearing that it was his opinion the new rates would make this service uneconomical and, therefore, protested the proposed increase.

The basis rate as proposed by Mountain States for the rural radio service is higher than the mobile telephone rate as proposed in I & S Docket No. 558. While the Mountain States witness did testify that there were certain costs associated with the rural radio service that would be in addition to mobile radio service, these costs were not presented in this record and we have no way of determining their reasonableness. Under the proposed mobile telephone tariff, the company is proposing a \$45 per month basic rate, while in the rural radio tariff it is proposing a \$55 per month rate for the customer located within the exchange area with which the base station is associated. It will be noted that the \$55 per month rate includes maintenance and whatever

additional equipment is needed but, as stated, we are unable to determine from this record if the increase in the base charge is warranted. There is no maintenance charge in the mobile service when a customer brings the equipment to Mountain States for maintenance. In view of the fact that the rural radio service is to a very few customers, that no costs for maintenance as such were presented in this record, we are unable to determine the need for an increase in the base rate and the additional charges based on the distance from the central office for rural radio service. While the witness testified that costs are only one of the elements considered in arriving at the rate which is based on value of service, nevertheless, without some indications of cost, we will not authorize the proposed rate.

Since this is an initial rate filing with the Commission, we will authorize the same monthly rate for rural radio service as for mobile telephone service of \$45 per month. We will not allow the additional mileage charges for rural radio service as proposed by the Applicant, since, again, we have no basis in this record for these incremental charges. All the other charges proposed by Applicant for the rural radio service for installation charges, extension stations, etc., will be permitted as filed in its proposed tariff. All of the other sections of the tariff appear to be reasonable and necessary and will be permitted to become effective in accordance with the Order to follow.

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

##### THE COMMISSION FINDS:

That it has jurisdiction of the Applicant and of the subject matter herein.



That the monthly rate filed by Mountain States for rural radio service in the amount of \$55 per month together with the additional incremental rate based on the increased mileage from the central office are unreasonable and unjust and should be denied.

That a rate of \$45 per month for Rural Radio Service is just and reasonable and should be permitted to be filed in accordance with the Order herein, to include maintenance, and to apply to customers located both within and outside the exchange area with which the base station is associated regardless of distance.

That the tariff as filed pertaining to Rural Radio Service in all other respects be, and it hereby is, approved, to become effective as set forth in the Order herein.

#### O R D E R

##### THE COMMISSION ORDERS:

That the monthly rate of \$55 for Rural Radio Service as proposed by Mountain States Telephone and Telegraph Company in its Colorado PUC No. 5 "Rural Radio Service" tariff, together with the incremental charges based on additional miles from the central office be, and it hereby is, denied.

That Mountain States Telephone and Telegraph Company be, and it hereby is, authorized to file a new rate for Rural Radio Service in the amount of \$45 per month as a part of its "Rural Radio Service" tariff Colorado PUC No. 5, to become effective on not less than one (1) day's notice after filing with the Commission.

That the \$45 monthly rate shall include maintenance charges and apply to customers located both within



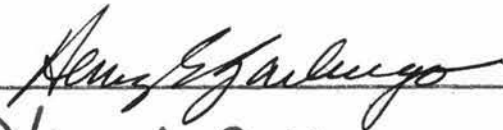
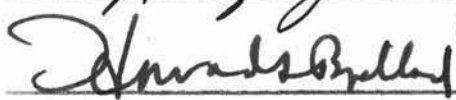

and outside the exchange area with which the base station is associated regardless of distance.

That, except as herein modified, the "Rural Radio Service" tariff, Colorado PUC No. 5, as filed with this Commission by Mountain States on October 13, 1965 be, and it hereby is, approved to become effective with the filing of the new monthly rate for Rural Radio Service authorized herein.

That I & S Docket No. 557 be, and it hereby is, closed.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 19th day of January, 1966.

ls

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 TELE-  
PHONE SERVICE AND MESSAGE TOLL  
TELEPHONE SERVICE.

INVESTIGATION AND SUSPENSION  
DOCKET NO. 558

January 19, 1966

Appearances: Akolt, Shepherd and Dick, by  
Luis D. Rovira, Esq., Denver,  
Colorado, for Mountain States  
Telephone and Telegraph Company;  
George D. Dameron, pro se,  
Littleton, Colorado;  
Arthur L. Kramer, pro se, Denver,  
Colorado;  
P. M. Brown, 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:

On October 13, 1965, 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 same Order the Commission set this matter for hearing on January 10, 1966 in the Commission hearing room, 532 State Services Building, Denver, Colorado. At said time and place this matter was heard on a joint record with I & S Docket No. 557 of Mountain States, which has to

do with a proposed increase in rates for Rural Radio Service. At the conclusion of the hearing, these matters were taken under advisement by the Commission.

Testimony at the hearing revealed that Mountain States has been rendering mobile telephone service in certain areas of its territory since about 1946. Mobile telephone service is a communication service through a mobile telephone service base station between other telephones and a mobile unit or between two mobile units. The Federal Communications Commission (FCC) licenses the Mountain States Telephone Company as to the use of the radio frequencies and a pair of frequencies is designated as a channel. There are 11 channels assigned by the FCC for radio telephone service and at the present time Mountain States has been assigned 6 channels. Due to the number of customers presently utilizing this service, Mountain States is in the process of obtaining one additional channel from the FCC.

By the filing with the Commission on October 13, 1965, Mountain States is proposing to change certain of the rates presently in effect for mobile telephone service. In the Denver metropolitan area, Mountain States has been rendering flat rate manual mobile telephone service at a monthly rate of \$45. There is to be no change in this particular rate although the company will provide a better type service by making available to the customers 6 channels where formerly only 4 were available and, in addition, will now provide dial telephones. The rates, other than the above for flat rate mobile telephone service will be increased. In the Denver area the company has offered a measured rate service for \$7 per month for 120 message units with an

overcharge for additional message units, where the customer provided his own radio equipment. By this filing the company proposes to eliminate this message rate service and institute a flat rate service. Where the customer furnishes his own equipment on this measured rate service, the rate will be increased from \$7 per month to \$20 per month for the flat rate service. The measured rate service in the Denver area has been frozen to existing customers for the past two years. On equipment installed by the company for measured service, the monthly rate for a single channel set would be increased from \$15 per month to \$45 per month; for a 2-channel set, from \$18 to \$45; for a 3-channel set, from \$21 to \$45 per month; and for a 4-channel set, from \$24 to \$45 per month. Here, again, under the new proposed tariff flat rate dial service will be offered. In addition to the measured service in the Denver area, a flat rate service has been offered and this rate will not be increased since it will remain at \$45 per month. However, the new type dial telephone will be available to the existing customers, as well as the additional channels to the present existing maximum of 6. Mobile service is offered in 12 service areas in Colorado by Mountain States at the present time. All of these areas will receive the flat rate service at the basic \$45 per month rate under the new filing. All of the present message rate service customers are allowed 120 message units in the monthly minimum. Under the new proposed service on the flat rate there will be no charge for message units since the customer will not be timed or ticketed as in the existing measured service.

One other additional feature under the new proposed tariff is that all mobile radio customers will be billed for

toll messages under the existing message toll telephone service of Mountain States. Heretofore, all toll message calls from a mobile telephone were billed on the person-to-person day rate. By the new offering, mobile telephone calls will be billed for toll calls the same as any other telephone which gives them the choice of station-to-station and the reduced rates for night-time calling. In addition, on measured service as presently offered, if a call is made where message units apply, then this charge is placed on the calling telephone rather than the called mobile telephone. This practice will be eliminated under the new tariff.

As new central office equipment becomes available, Mountain States will install dial telephones throughout the State for mobile service and, due to improvements in the equipment, it is believed that a better overall service will be offered. All new units to be installed will provide for the present 6-channel service instead of the 1 to 4-channel service heretofore available to the customer. The equipment is usable in any area in the United States since it is compatible with all the Bell System companies as well as independent telephone companies who are members of the United States Independent Telephone Association.

In addition to the above, this equipment would also function properly for communications with other common carriers licensed by the FCC as domestic public land mobile radio service using the same frequencies.

At the present time in Colorado there are only 6 customers who furnish their own equipment; 4 of these customers are located in the Denver metropolitan area and of these 4 - 3 are used in business service and 1 by an individual for his own private use. In December of 1965 there were a total



of 325 mobile units in service in Colorado on the Mountain States system.

Two witnesses appeared in protest to the increase in rates proposed by this filing. Mr. Arthur Kramer is a prospective customer living in Denver desiring mobile telephone service and his application is pending at this time. Mr. George Dameron, who lives in the Denver metropolitan area, also appeared in protest and he is a customer of Mountain States and has been using mobile telephone service about 5-1/2 years. He furnishes his own equipment and presently pays the \$7 per month message rate with the allowance of 120 message units per month. Mr. Dameron testified that he does not desire flat rate service since he rarely used in excess of the minimum charge per month and would have no occasion to increase his calling rate to take advantage of the flat rate service. It was his belief that the proposed increase from the \$7 per month minimum to \$20 per month was too large and out of proportion to the increase as proposed by the company for company-supplied equipment which would increase from \$20 per month to \$45 per month. However, there are other factors to be considered in this matter. This is the first increase in rates for mobile telephone service since the inauguration of this service in 1946. The Bell System Companies raised rates for mobile service in 1954, but the rates in Colorado were not changed at that time. The service which Mr. Dameron presently has, has not been available to other subscribers in the Denver area for the last two years. The witness for the telephone company testified that under the present measured rate service the company has had difficulty in selling this service in the past. Where the flat rate service has been offered, the acceptance has increased and

an additional witness testified at the hearing herein that he would not take the old measured rate service but waited until the new flat rate service was offered. Apparently there is a much greater demand for flat rate service than the old measured rate service and Mountain States, in surveying the market, apparently took steps with the freezing of the measured rate service in the Denver area to provide a service more in keeping with customer needs. Flat rate service was inaugurated in the Denver area at the same time measured rate service was frozen. A survey of the 184 customers receiving mobile telephone service in the Denver area revealed that all but 13 of these customers want flat rate service. A similar survey in the Boulder area showed that 8 out of 9 presently receiving service want the flat rate service. As a result of the survey, Mountain States is proposing a uniform flat rate service, state-wide, which is apparently in accordance with the wants and needs of the majority of its customers.

It is not planned at the present time to cut over all existing customers in all of the service areas to the new dial equipment. This cut-over will take some time to accomplish and the new dial phones will be installed in the various areas under a conversion program of the company as exchange equipment becomes available. The flat rate service, however, will become immediately available upon the approval of the proposed tariffs.

After reviewing all the exhibits and testimony herein, we believe that there is a demand for flat rate mobile telephone service as proposed by Mountain States in the tariffs filed with this Commission on October 13, 1965 under the rates as proposed therein.



## F I N D I N G S

### THE COMMISSION FINDS:

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

That the Commission is fully advised in the premises.

That the rates and services as proposed by Mountain States Telephone and Telegraph Company pertaining to Mobile Telephone Service and Message Toll Telephone Service as set forth in its tariff Colorado PUC No. 5 as filed with this Commission on October 13, 1965 are just and reasonable and should be permitted to become effective as set forth in the Order herein.

## O R D E R

### THE COMMISSION ORDERS:

That the 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 below, containing certain rates, rules and regulations for the above types of service, are just and reasonable and are hereby permitted to become effective January 24, 1966.

That the tariff sheets of tariff Colorado PUC No. 5 of the Mountain States Telephone and Telegraph Company, to become effective on January 24, 1966, are as follows:

#### Message Toll Telephone Service

12th Revised Sheet	No. 1
4th       "	No. 2
5th       "	No. 20
5th       "	No. 21
5th       "	No. 22


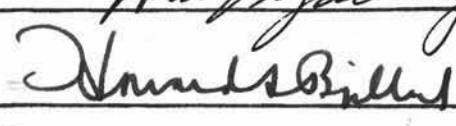
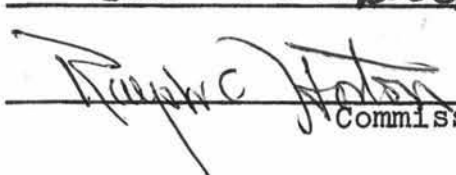
Mobile Telephone Service

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 I & S Docket No. 558 be, and it hereby is,  
closed.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 19th day of January, 1966.

jh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION	)	
OF L. JAMES AVERETT AND CECIL	)	
AVERETT, DOING BUSINESS AS "AVERETT	)	
& SON TRUCKING CO.," P. O. BOX 104,	)	
COWLEY, WYOMING, FOR AUTHORITY TO	)	PERMIT NO. B-6130-I-
TRANSFER INTERSTATE OPERATING	)	<u>TRANSFER</u>
RIGHTS TO L. JAMES AVERETT AND	)	<u>AMENDED ORDER</u>
DONALD J. KELSEY, DOING BUSINESS	)	
AS "AVERETT & SON TRUCKING CO.,"	)	
P. O. BOX 226, COWLEY, WYOMING.	)	
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January 20, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On September 27, 1965, the Commission entered Decision No. 65945 authorizing transfer of Permit No. B-6130-I from L. James Averett and Cecil Averett, doing business as "Averett & Son Trucking Co.," Cowley, Wyoming, to Donald J. Kelsey, Lovell, Wyoming.

It has been called to the attention of the Commission that in the original application, through oversight and inadvertence, the name of the transferee should have been L. James Averett, one of the partners of the transferor partnership, and Donald J. Kelsey, doing business as "Averett & Son Trucking Co.," Cowley, Wyoming.

The Commission finds that an amended Order should be issued correcting the name of the transferee to L. James Averett and Donald J. Kelsey, doing business as "Averett & Son Trucking Co.," Cowley, Wyoming, as set forth in the following Order.


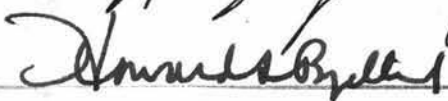

ORDER

THE COMMISSION ORDERS:

That Permit No. B-6130-I be, and the same hereby is, transferred from L. James Averett and Cecil Averett, doing business as "Averett & Son Trucking Co.," Cowley, Wyoming, to L. James Averett and Donald J. Kelsey, doing business as "Averett & Son Trucking Co.," Cowley, Wyoming, subject to provisions of the Federal Motor Carrier Act of 1935, as amended, and subject to encumbrances, if any, against said permit 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 20th day of January, 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION	)	
OF WOODROW A. ROSS, DOING BUSINESS	)	
AS "WOODY ROSS," 2000 SIMMONS,	)	
SALINA, KANSAS, FOR AUTHORITY TO	)	
TRANSFER INTERSTATE OPERATING	)	PUC NO. 5831-I-Transfer
RIGHTS TO WOODROW A. ROSS, OLA M.	)	
ROSS AND MICHAEL W. ROSS, DOING	)	
BUSINESS AS "ROSS TRUCK LINE,"	)	
2000 SIMMONS, SALINA, KANSAS.	)	

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January 20, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Woodrow A. Ross, doing business as "Woody Ross," Salina, Kansas, was granted a certificate of public convenience and necessity, PUC No. 5831-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. 5831-I to Woodrow A. Ross, Ola M. Ross and Michael W. Ross, doing business as "Ross Truck Line," Salina, Kansas.

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.


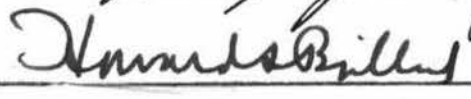
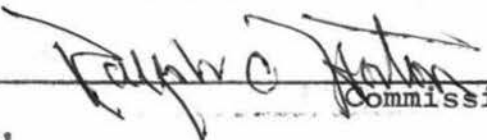
O R D E R

THE COMMISSION ORDERS:

That Woodrow A. Ross, doing business as "Woody Ross," Salina, Kansas, be, and hereby is, authorized to transfer all right, title, and interest, in and to PUC No. 5831-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Woodrow A. Ross, Ola M. Ross and Michael W. Ross, doing business as "Ross Truck Line," Salina, Kansas, 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 20th day of January, 1966.

ls

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 OPER- )  
ATIONS UNDER PUC NO. 4446. )  
- - - - -

APPLICATION NO. 21514-  
EXTENSION  
SUPPLEMENTAL ORDER

- - - - -  
January 20, 1966  
- - - - -

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, Freddie's  
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, Harry Bath, doing  
business as "Blue Barrel Disposal Company," Arvada, Colo-  
rado, 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 is presently set for hearing at 10:00 o'clock A. M., on January 26, 1966, at 532 State Services Building, Denver, Colorado.

The Commission is now in receipt of a communication from Bennett S. Aisenberg, Attorney for Applicant, requesting dismissal of said application.

The Commission finds that said request should be granted and that Application No. 21514-Extension should be dismissed.

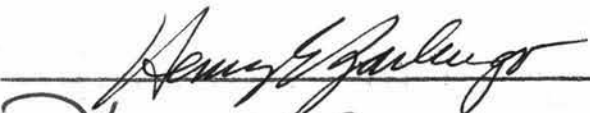
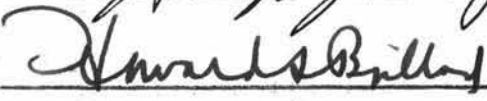

O R D E R

THE COMMISSION ORDERS:

That Application No. 21514-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 20th day of January, 1966.

ls

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLI- )  
CATION OF VIRGIL L. BRAUER, )  
DOING BUSINESS AS "BRAUER )  
MILK LINE," 2730 EAST BIJOU, )  
COLORADO SPRINGS, COLORADO, )  
FOR AUTHORITY TO TRANSFER )  
PUC NO. 3019 TO ANDREW KUCERIK )  
AND JOHN KUCERIK, DOING BUSI- )  
NESS AS "KUCERIK BROTHERS )  
MILK LINE," CALHAN, COLORADO. )  
-----

APPLICATION NO. 21520-Transfer

-----  
January 20, 1966  
-----

Appearances: Virgil L. Brauer, Colorado  
Springs, Colorado, pro se;  
Andrew Kucerik, Calhan, Colo-  
rado, for Transferees.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Virgil L. Brauer, doing business as  
"Brauer Milk Line," Colorado Springs, Colorado, was  
granted the following operating rights:

PUC No. 3019:

"Transportation of milk and dairy products  
in the following territory:

- a. All of that portion of El Paso County  
lying South of U. S. Highway No. 24,  
and East of Highway No. 85-87.
- b. That portion of Elbert County described  
as beginning at the Town of Simla, thence  
south to the El Paso County boundary  
line, thence west to U. S. Highway No. 24,  
thence along said U. S. Highway No. 24 to  
the Town of Simla.
- c. Those portions of El Paso and Elbert  
Counties included in an area described  
as beginning at the Town of Ramah, thence  
5 miles north, thence 14 miles west,  
then south to U. S. Highway No. 24, thence  
along U. S. Highway No. 24 to the Town of  
Ramah,  
and transportation of milk and dairy products  
from the territory hereinabove described to  
receiving plants in and around the Colorado  
Springs area."

By the above-styled application, said certificate-holder seeks authority to transfer PUC No. 3019 to Andrew Kucerik and John Kucerik, doing business as "Kucerik Brothers Milk Line," Calhan, 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, Virgil L. Brauer, the transferor herein, appeared and testified in support of the granting of the instant application, stating that he has entered into an agreement to transfer PUC No. 3019, together with certain equipment, to the transferees herein for the sum of \$20,000.00; that there is no outstanding indebtedness against said certificate; that, in his opinion, the transferees are experienced milk haulers and are responsible and reliable persons who are fully able and qualified to fulfill obligations under the certificate to be transferred.

Andrew Kucerik, one of the transferees herein, also appeared and testified in support of the instant application, stating that he and his brother, John Kucerik, have been operating under PUC No. 3019 by virtue of a temporary authority heretofore issued by this Commission; that they have sufficient net worth and operating experience, and own and maintain equipment designed especially for the transportation of bulk

milk, and will be able to render and conduct operations under PUC No. 3019.

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 Virgil L. Brauer, doing business as "Brauer Milk Line," Colorado Springs, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 3019 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Andrew Kucerik and John Kucerik, doing business as "Kucerik Brothers Milk Line," Calhan, 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 transferees, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to

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

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

The right of transferees to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry E. Zalko  
Donald B. Miller  
Ralph G. Hoken  
Commissioners

Dated at Denver, Colorado,  
this 20th day of January, 1966.

ls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
DON M. ROBERTS, DOING BUSINESS ) PUC NO. 6184-I  
AS "D & D TRUCK SERVICE," 1141 )  
ERIE, WESTMINSTER, COLORADO. )  
- - - - -

- - - - -  
January 20, 1966  
- - - - -

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: Don M. Roberts, doing business as "D & D Truck Service," in lieu of: Don M. Roberts, in the conduct of operations under PUC No. 6184-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. 6184-I to be owned and operated by:

Don M. Roberts,  
doing business as  
"D & D Truck Service,"  
in lieu of:  
Don M. Roberts.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Dated at Denver, Colorado,  
this 20th day of Jan-  
uary, 1966.

*Henry E. G. Arledge*  
*Donald S. Butler*  
*Ralph C. Hatten*  
Commissioners

(Decision No. 66670)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION )  
OF JOSEPH KIDD, DOING BUSINESS AS )  
"AMERICAN WAREHOUSE COMPANY," 351 )  
WEST 45TH AVENUE, DENVER, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS A PRIVATE CARRIER BY MOTOR )  
VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 21695-PP  
SUPPLEMENTAL ORDER

-----  
January 20, 1966  
-----

Appearances: Truman A. Stockton, Esq., Denver,  
Colorado, for Applicant;  
Joseph F. Nigro, Esq., Denver,  
Colorado, for Weicker Transfer  
and Storage Co., as its interest  
may appear and as a Protestant.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On January 11, 1966, the Commission entered its  
Decision No. 66568 in the above-styled application.

Applicant, through his attorney, requests that  
said Order entered on January 11, 1966, be further amended,  
nunc pro tunc. Said amendment constitutes a further  
restriction of the authority granted and it appearing to  
the Commission that such amendment will be compatible  
with the public interest said request will be allowed  
amending the Order part of the original Order of said  
Decision.

The Commission finds that the Order provisions  
of Decision No. 66568 should be amended, as set forth  
in the following Order.



O R D E R

THE COMMISSION ORDERS:

That Decision No. 66568, dated January 11, 1966, be, and the same hereby is amended, nunc pro tunc, as of said 11th day of January 1966, by striking therefrom the second paragraph of the Order contained in said Decision appearing on page 6, and inserting in lieu thereof the following:

"That Joseph Kidd, doing business as 'American Warehouse Company,' Denver, Colorado, be, and hereby is, authorized to operate as a Class 'B' private carrier by motor vehicle for hire, for the transportation of general commodities, between American Warehouse Company, on the one hand, and on the other, points within twenty miles thereof (a) excepting points in Boulder County, (b) excepting points on and west of a line drawn north and south along Kipling Street, excluding from said exception, however, that applicant may serve Jefferson County School District shops and garages and the State Home and Training School at Wheatridge, Colorado, and (c) excepting service to International Paper Company, restricted (1) to shipments either originating or terminating at the warehouse, (2) to contracts with only customers who have stored at the warehouse, (3) to equipment not to exceed 2½ ton capacity, and (4) not to exceed the use of more than three pieces of equipment; and this ORDER shall be deemed to be, and be, a PERMIT therefor."

That, except as herein amended, Decision No. 66568 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

COMMISSIONER RALPH C.  
HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 20th day of January, 1966.

  
Commissioners

ls

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Decision No. 66671

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
JOHN O. HANSEN DBA )  
HANSEN LUMBER COMPANY )  
1207 Agua Fria )  
Santa Fe, New Mexico )  
----- )

AUTHORITY NO. M 2271  
CASE NO. 3468 Ins.

-----  
January 21, 1966  
-----

S T A T E M E N T

By the Commission:

On December 8, 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 C. Zaslavsky*  
*Harold S. Bjelland*  
*Robert C. Norton*  
Commissioners

Dated at Denver, Colorado,  
this 21st day of January, 1966

(Decision No. 66672)

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 TELE-  
PHONE SERVICE AND MESSAGE TOLL  
TELEPHONE SERVICE.

INVESTIGATION AND SUSPENSION  
DOCKET NO. 558

SUPPLEMENTAL ORDER

January 21, 1966

Appearances: Akolt, Shepherd and Dick, by  
Luis D. Rovira, Esq., Denver,  
Colorado, for Mountain States  
Telephone and Telegraph Company;  
George D. Dameron, pro se,  
Littleton, Colorado;  
Arthur L. Kramer, pro se, Denver,  
Colorado;  
P. M. Brown, 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:

By Decision No. 66664 of January 19, 1966 in the  
above entitled Docket, this Commission issued an Order  
authorizing the rates as filed by Mountain States Telephone  
and Telegraph Company, as a part of its tariff Colorado  
PUC No. 5 pertaining to Mobile Telephone Service and Message  
Toll Telephone Service, to become effective on January 24,  
1966.

In the Statement accompanying said Decision, a  
paragraph was inadvertently omitted and we now believe that  
a Supplemental Order should be issued to correct the omission.

## F I N D I N G S

### THE COMMISSION FINDS:

That Decision No. 66664 should be amended, nunc pro tunc, to conform to the facts, as set forth in the Order following.

## O R D E R

### THE COMMISSION ORDERS:

That Decision No. 66664 of date January 19, 1966, should be, and hereby is, amended, nunc pro tunc, as of said 19th day of January, 1966, by adding to Page 1 of the Statement of said Order the paragraph which was inadvertently omitted so that Page 1 of said Statement should read as follows:

## "S T A T E M E N T

### "BY THE COMMISSION:

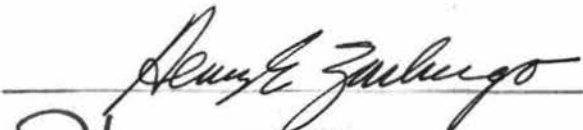
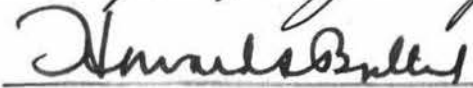
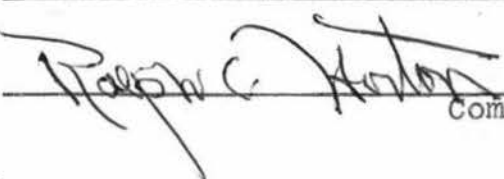
"On October 13, 1965, the Mountain States Telephone and Telegraph Company (Mountain States) filed with the Public Utilities Commission (PUC) certain proposed changes in its tariff Colorado PUC No. 5 pertaining to the Mobile Telephone Service section and corresponding parts of the Message Toll Telephone Service section, all changes to become effective on November 13, and subsequent billing, unless otherwise ordered.

"By Decision No. 66347 of November 29, 1965 the Commission suspended the effective date of the proposed changes in the newly filed tariff from November 13, 1965 or until March 13, 1966, unless otherwise ordered.

"By this same Order the Commission set this matter for hearing on January 10, 1966 in the Commission hearing room, 532 State Services Building, Denver, Colorado. At said time and place this matter was heard on a joint record with I & S Docket No. 557 of Mountain States, which has to . . ."

That, except as herein amended, Decision No. 66664  
shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 21st day of January, 1966.

jh

10  
(Decision No. 66673)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
JOHN W. SLOAN, DOING BUSINESS AS  
"A-1 UPHOLSTERY," 1215 8TH STREET  
GREELEY, COLORADO, FOR A CLASS "B"  
PERMIT TO OPERATE AS A PRIVATE  
CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21306-PP  
SUPPLEMENTAL ORDER

January 24, 1966

Appearances: John W. Sloan, Greeley,  
Colorado, pro se;  
V. E. Whitmore, Carnation Co.,  
Johnstown, Colorado, for  
Applicant.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On January 10, 1966, the Commission entered Decision No. 66559 in the above-styled application, re-voking operating rights granted to the above-styled applicant by Decision No. 65498, dated August 3, 1965, for failure of said applicant to comply with requirements set forth in said Decision No. 65498.

It now appears that applicant has complied with all requirements of Decision No. 65498, and requests rein-statement of operating rights granted thereby.

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

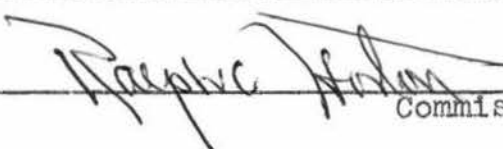
O R D E R

THE COMMISSION ORDERS:

That Decision No. 66559, dated January 10, 1966, be, and the same hereby is, vacated, set aside, and held for naught, as of said 10th day of January, 1966, and operating

rights heretofore granted to the above-styled applicant  
by Decision No. 65498, dated August 3, 1965, be, and the  
same hereby are, restored to active status, as of said  
date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,  
this 24th day of January, 1966.

jh



(Decision No. 66674)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION )  
OF H. F. SCHREIBER, DOING BUSINESS )  
AS "MOUNTAIN SERVICE COMPANY," )  
P. O. BOX 1839, ASPEN, COLORADO, )  
FOR A CERTIFICATE OF PUBLIC CON- )  
VENIENCE AND NECESSITY TO OPERATE )  
AS A COMMON CARRIER BY MOTOR )  
VEHICLE FOR HIRE. )

APPLICATION NO. 21676

January 24, 1966

Appearances: John D. McDowell, Esq., Denver,  
Colorado, for Applicant;  
William A. Baker, Esq., Colorado  
Springs, Colorado, for San  
Juan Tours, Inc., doing  
business as "Glenwood-Aspen  
Stages;"  
David Butler, Esq., Denver,  
Colorado, for Little Percent,  
Inc.;  
John R. Barry, Esq., Denver,  
Colorado, for Continental  
Bus System.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The above-styled application was regularly set for hearing before the Commission on January 17, 1966, at 10:00 o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado.

At the outset of the hearing Attorney for Applicant moved to continue the instant application on the grounds that his client has been, and still is, out of the city. Attorneys for the Protestants reluctantly did not object to granting the continuance. Said continuance was granted and the matter was re-set for hearing on February 28, 1966, at 10:00 o'clock A. M., at 532 State Services Building, Denver, Colorado.

The Commission states and finds that such continuance is compatible with the public interest and that the hearing should be continued and re-set as stated.

O R D E R

THE COMMISSION ORDERS:

That Application No. 21676 be, and the same hereby is, continued and re-set for hearing before the Commission at 10:00 o'clock A. M., on February 28, 1966, at 532 State Services Building, 1525 Sherman Street, Denver, Colorado, with notice to the parties who entered their appearance on January 17, 1966.

The 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 24th day of January, 1966.

ls

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Decision No. 66675

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
DENVER SOUND SPECIALISTS INC. )  
884 South Lipan Street )  
Denver, Colorado 80223 )  
----- )

AUTHORITY NO. M 7222  
CASE NO. 3701 Ins.

-----  
January 25, 1966  
-----

S T A T E M E N T

By the Commission:

On January 17, 1966, 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. Zaehner  
Howard S. Bjelland  
Ralph E. Johnson  
Commissioners

Dated at Denver, Colorado,  
this 25th day of January, 1966

Decision No. 66676

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
WARD E. MATHIAS DBA )  
MATHIAS CONSTRUCTION COMPANY )  
North Washington St. )  
Monte Vista, Colorado )  
----- )

AUTHORITY NO. M 2198

CASE NO. 1858 Ins.

-----  
January 25, 1966  
-----

S T A T E M E N T

By the Commission:

On July 22, 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. Zierling  
Howard S. Bjelland  
Ralph G. Hinton  
Commissioners

Dated at Denver, Colorado,  
this 25th day of January, 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
JOHN BEHIL, 143 FARADAY ST.,  
MONTE VISTA, COLORADO

PUC NO. 3132

January 25, 1966

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.

ORDER

THE COMMISSION ORDERS:

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

January 18, 1966                      until      July 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. Zecher*  
*Howard S. Bjelland*  
*Ralph C. Hordford*

Commissioners

Dated at Denver, Colorado,  
this 25th day of January, 1966

jh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
LOUIS A. PASTORE, JR., )  
2505 CLERMONT STREET, DENVER, )  
COLORADO 80207. )  
-----

PUC NO. 3507

-----  
January 25, 1966  
-----

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.

ORDER

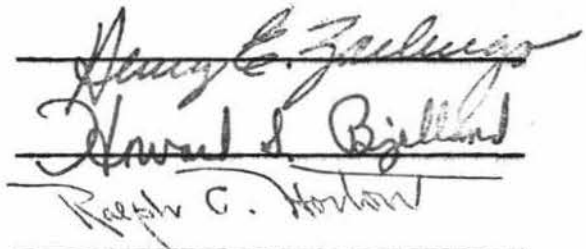
THE COMMISSION ORDERS:

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

February 3, 1966 until August 3, 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 25th day of January, 1966  
jh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
ORAL B. DICKERSON, BOX 436,  
ASPEN, COLORADO.

PERMIT NO. B-6397

January 25, 1966

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.

ORDER

THE COMMISSION ORDERS:

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

January 17, 1966                      until      July 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 C. Zaehner*  
*Howard S. Bjelland*  
*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado,  
this 25th day of January, 1966  
jh



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
C. M. WEBB, 2509 CEDAR STREET, )  
SPRINGFIELD, MISSOURI 65804 )  
----- )

PUC NO. 4406-I

-----  
January 25, 1966  
-----

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 24, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry C. Ziehl  
Howard S. Bjork  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,  
this 25th day of January 1966  
jh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
ROBERT W. LONEY, ROUTE 1, )  
BOX 177, HENDERSON, COLO. )

PERMIT NO. B-6382

-----  
January 25, 1966  
-----

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.

ORDER

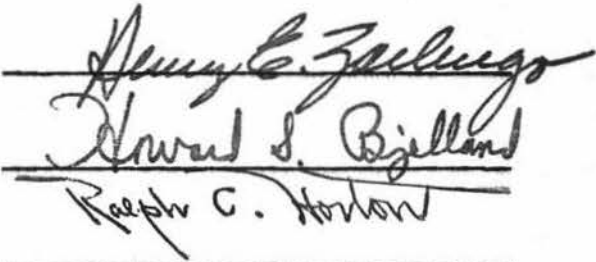
THE COMMISSION ORDERS:

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

December 31, 1965                      until June 30, 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 25th day of January    1966  
et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
JERRY EDWARD ROBERTS, 8021 )  
W. 51ST. AVENUE, ARVADA, )  
COLORADO. )

PUC NO. 6540-I

-----  
January 25, 1966  
-----

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective December 19, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry E. Zaclungo*  
*Howard S. Bjelland*  
*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado,  
this 25th day of January 1966  
et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
HAROLD L. LUNDBERG,  
NEWELL, IOWA

PUC NO. 6313-I

-----  
January 25, 1966  
-----

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.

ORDER

THE COMMISSION ORDERS:

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry E. Ziehlings  
Howard S. Bjelland  
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,  
this 25th day of January 1966.  
et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
FLOYD R. LAMBERT, 925 )  
LINCOLN STREET, BROOKFIELD, )  
MISSOURI. )  
-----

PUC NO. 5079-I

-----  
January 25, 1966  
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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

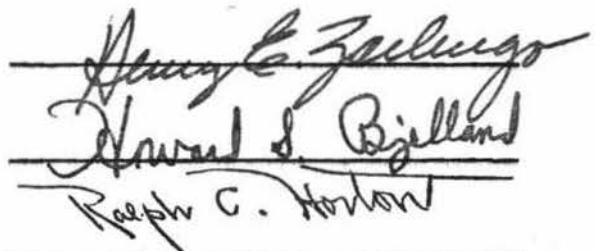
January 15, 1966

until

July 15, 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 25th day of January 1966.  
et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
PAUL NEWBERRY, BOX 163,  
RALLS, TEXAS.

PUC NO. 4298-I

January 25, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

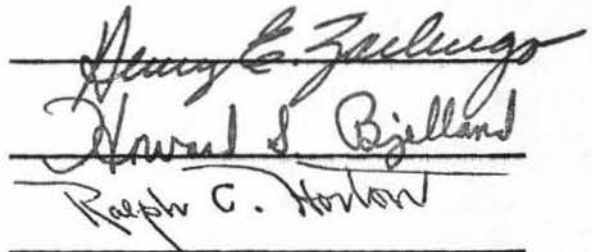
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,  
this 25th day of January 1966.  
et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

BROTHERHOOD OF RAILWAY CLERKS,  
1015 Vine Street,  
Cincinnati, Ohio, and  
635 South Pennsylvania,  
Denver, Colorado,

Complainant,

vs.

CASE NO. 5312

RAILWAY EXPRESS AGENCY, INC.  
Denver Union Terminal  
Denver, Colorado

LARSON TRANSPORTATION COMPANY  
Box 5628 Terminal Annex,  
Denver, Colorado,

DENVER & RIO GRANDE WESTERN RAILROAD  
COMPANY,  
1531 Stout Street,  
Denver, Colorado,

Respondents.

-----  
January 26, 1966  
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Appearances: William Donlon, Esq., Cincinnati,  
Ohio, and  
Arthur S. Bowman, Esq., and  
Ben L. Wright, Esq., Denver,  
Colorado, for the Complainant;  
James C. Ingwersen, San Francisco,  
California, for Railway Express  
Agency, Inc., Respondent;  
Royce D. Sickler, Esq., and  
Ernest Porter, Esq., Denver,  
Colorado, for Larson Trans-  
portation Company and Denver &  
Rio Grande Western Railroad  
Company, Respondents.

S T A T E M E N T

BY THE COMMISSION:

On November 1, 1965 the Brotherhood of Railway  
Clerks filed a Complaint against the Railway Express Agency,  
Inc., Larson Transportation Company, and Denver & Rio Grande  
Western Railroad Company with this Commission. On November 4,



1965, this Commission issued an Order to satisfy an Answer to the named Respondents. On November 24, 1965, Larson Transportation Company and Denver & Rio Grande Western Railroad Company filed a joint Answer to the Complaint. Also on November 24, 1965, the Railway Express Agency, Inc. filed an Answer to the Complaint. On December 27, 1965 the Commission entered an Order setting the matter for hearing on Tuesday, January 25, 1966 at 10:00 o'clock A.M. in the Hearing Room of the Commission in the State Services Building in Denver, Colorado. At said time and place the matter was called for hearing.

As a preliminary matter the attorneys for the Complainant made an oral motion seeking authority to add an individual as a party Complainant. The presiding Commissioner indicated that such a motion would be granted, but that if granted the matter would be continued in order that Respondents could properly meet the changed issues. Such a procedure appeared to be generally acceptable to the parties in the hearing. The presiding Commissioner thereupon stated that it would be the Order of the Commission that the hearing be continued, that Complainants be permitted to file an Amended Complaint, the Respondents be permitted to file Amended Answers, that upon completion of such amended pleadings the matter would be reset for hearing and that a written Order of the Commission so providing would follow.

#### O R D E R

##### THE COMMISSION ORDERS:

1. That the hearing in this matter be continued.
2. That the Complainant herein is permitted to file an Amended Complaint, both as to parties and substantive



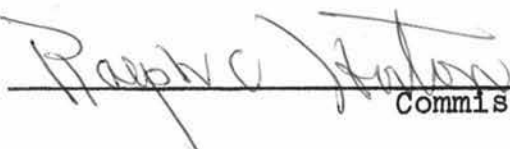
allegations, within thirty days from the date of this Order and shall serve copies of such Amended Complaint upon the named Respondents herein.

3. That the Respondents shall file Answers thereto within twenty days of the receipt of the Amended Complaint.

4. That upon completion of the amended pleadings, the Secretary of this Commission shall reset the matter for hearing.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,  
this 26th day of January, 1966.

jh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION )	
OF SAN ISABEL ELECTRIC ASSOCIATION, )	
INC., 316 WEST 15TH STREET, PUEBLO, )	
COLORADO, A COLORADO CORPORATION, )	
FOR AN ORDER AUTHORIZING IT TO )	APPLICATION NO. 21777
EXECUTE A NOTE TO SECURE A LOAN )	<u>SECURITIES</u>
FROM THE RURAL ELECTRIFICATION )	
ADMINISTRATION IN THE SUM OF )	ORDER TO SET FOR HEARING
\$85,000. )	<u>ON LESS THAN TEN DAYS'</u>
- - - - - )	<u>NOTICE</u>

- - - - -  
January 26, 1966  
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On January 25, 1966 Applicant, by its attorneys, filed the above-entitled application for authority to issue securities and at that time also petitioned the Commission to set the above application for hearing on less than the statutory ten days' notice.

The Commission having considered the Petition and being fully advised in the premises, finds that good cause exists and the public interest requires that the hearing be set on less than the statutory ten days' notice and for setting said application for hearing on February 2, 1966 at 2:00 o'clock P. M. in the hearing room of the Commission at 532 State Services Building, Denver, Colorado.

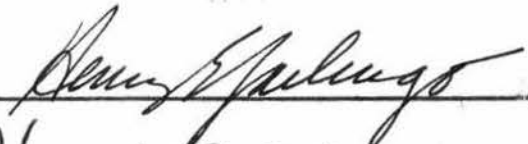
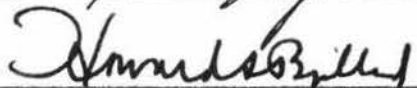
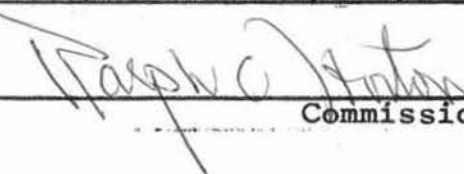
O R D E R

THE COMMISSION ORDERS:

That the above application be set for hearing on February 2, 1966 at 2:00 o'clock P.M. in the hearing room

of the Commission at 532 State Services Building, Denver,  
Colorado.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 26th day of January, 1966.

ls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF }  
ROBERT W. LONEY, ROUTE 1 BOX 177, }  
HENDERSON, COLORADO 80640 } PERMIT NO. M-492

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January 27, 1966  
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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.

ORDER

THE COMMISSION ORDERS:

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry E. Zaehner*  
*Howard S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 27th day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
BESTWAY BUILDING CENTER, DIVISION OF )  
BOISE CASCADE CORPORATION, 703 6th )  
STREET, GREELEY, COLORADO 80630 ) PERMIT NO. M-896

January 27, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

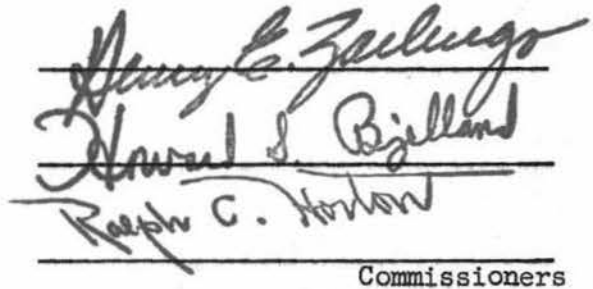
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 14, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 27th day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF }  
SPEEDWAY GAS AND OIL COMPANY INCORPOR- }  
ATED, 1520 RIVER STREET, CANON CITY, }  
COLORADO 81212 }

PERMIT NO. M-962

January 27th, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 1, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry E. Zaehner*  
*Harold L. Bjelland*  
*Ralph C. Norton*  
Commissioners

Dated at Denver, Colorado,  
this 27th day of January 1966.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
THE DUVALL-DAVISON LUMBER COMPANY  
1313 FORD STREET, GOLDEN, COLORADO  
80401

PERMIT NO. M-2443

JANUARY 27, 1966

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 December 30, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry C. Zaehner*  
*Howard S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 27th day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF }  
HAROLD G., AND MILDRED A., SMITH }  
BOX 578, GRAND LAKE, COLORADO 80447 } PERMIT NO. M-2510  
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January 27, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

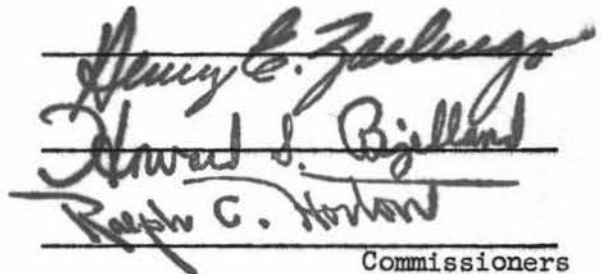
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 2, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 27th day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF }  
MOUNTAIN STATES MATTRESS MANUFACTURING }  
COMPANY, 2166 15TH STREET, DENVER, }  
COLORADO }

PERMIT NO. M-2876

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January 27, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

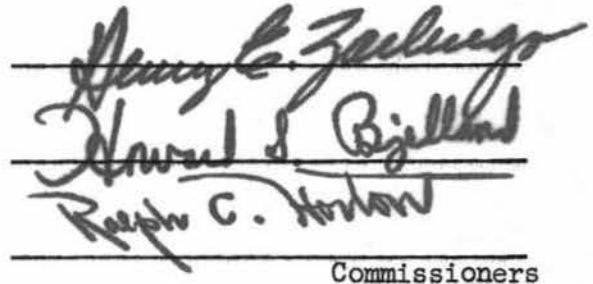
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 24, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 27 day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF

J. A. BAKER, DOING BUSINESS AS,  
SPRUCE LUMBER COMPANY, P O BOX 56,  
FRASER, COLORADO 80442

PERMIT NO. M-3207

January 27, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 25, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry C. Zaehner*  
*Howard S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 27 day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )

HELEN BRAUN, DOING BUSINESS AS, )  
BRAUN DAIRY, ROUTE 1 BOX 506, )  
GOLDEN, COLORADO 80401 )  
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PERMIT NO. M-4098

-----  
January 27, 1966 - -

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 20, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry E. Zaehner*  
*Howard S. Bjelland*  
*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado,  
this 27 day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
FRANK W. AND MARGARET H. LADWIG,  
DOING BUSINESS AS, ROCKY MOUNTAIN  
FOUNDRY, 1026 LOGAN PLACE, COLORADO  
SPRINGS, COLORADO 80900

PERMIT NO. M-4380

January 27, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 16, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry E. Zaslau*  
*Harold S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 27 day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
DOYLE L. HARTMAN, DOING BUSINESS AS )  
HARTMAN'S DAIRY, ROUTE 1 BOX 193 )  
FLORENCE, COLORADO 81226 ) PERMIT NO. M-4825

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January 27, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

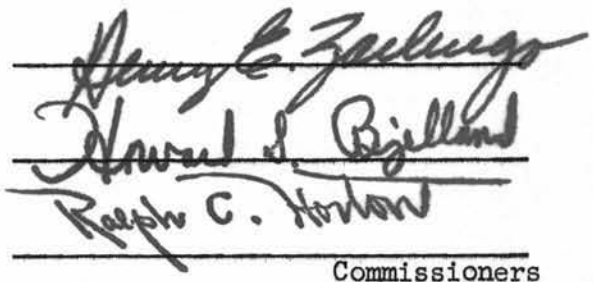
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 23, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 27 day of January 1966.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
JOHN M. BEHIL, 143 FARADAY STREET,  
MONTE VISTA, COLORADO 81144

} PERMIT NO. M-5621

January 27, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 18, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry C. Zaclung*  
*Howard S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 27 day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
JACK R. OBERLY, CLIFTON, COLORADO  
81520

PERMIT NO. M-6456

January 27, 1966 - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

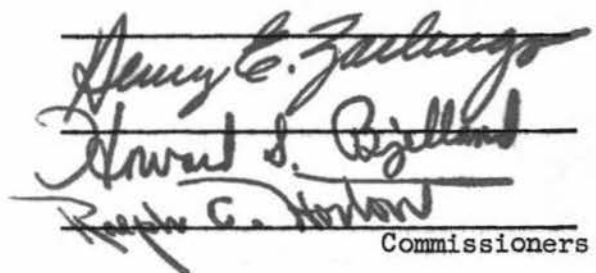
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 24, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 27 day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF	}	PERMIT NO. M-6929
JERRY EDWARD ROBERTS, BOX 284,		
ARVADA, COLORADO 80002		

-----  
January 27, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

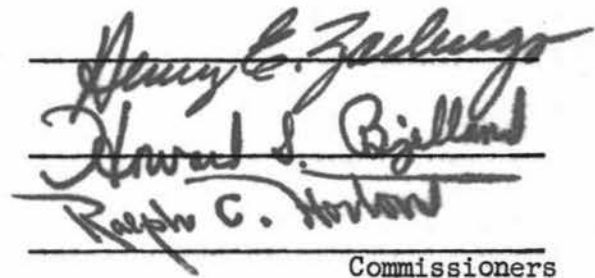
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective December 19, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 27 day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
Floyd R LAMBERT, 925 LINCOLN STREET,  
BROOKFIELD, MISSOURI

PERMIT NO. M-7574

January 27, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 15, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry E. Ziehl*  
*Howard S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 27 day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF }  
C. H. TABLER, DOING BUSINESS AS, C H } PERMIT NO. M-7960  
TABLER ALFALFA MEAL, 921 6TH AVENUE, }  
LONGMONT, COLORADO 80501 }

January 27, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 4, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry C. Zeilinger*  
*Harold S. Bjelland*  
*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado,  
this 27 day of January 1966.

mmc

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
OTTO BUEHNER AND COMPANY, 640 )  
WILMINGTON AVENUE, SALT LAKE CITY, ) PERMIT NO. M-9278  
UTAH 84101 )

-----  
January 27, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

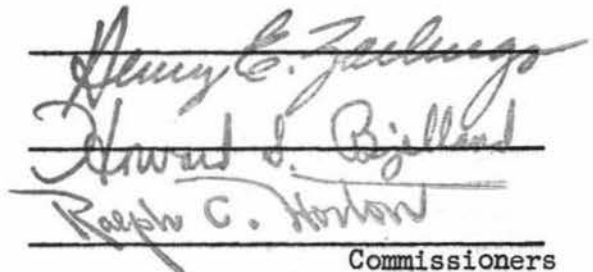
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 1, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 27 day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
JACINTO AND JANE L CHAPARRO, 209  
SOUTH 5 TH. STREET, ROCKY FORD,  
COLORADO 81067

PERMIT NO. M-10261

January 27, 1966 - -

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.

ORDER

THE COMMISSION ORDERS:

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Denny E. Zaclung*  
*Howard S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 27 day of January 1966.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
MEDALLION MOBILE HOMES INCORPORATED  
P O BOX 1709, PONCA CITY, OKLAHOMA

}  
} PERMIT NO. M-10355  
}

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January 27, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

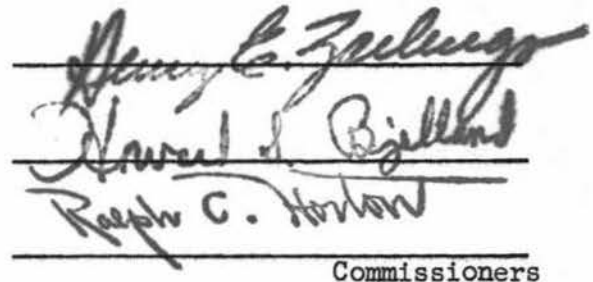
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 20, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 27 day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF }  
UNITED FLOTATION INCORPORATED }  
1920 NORTH BELTLINE, IRVING, TEXAS } PERMIT NO. M-10528  
75060 }  
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January 27, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

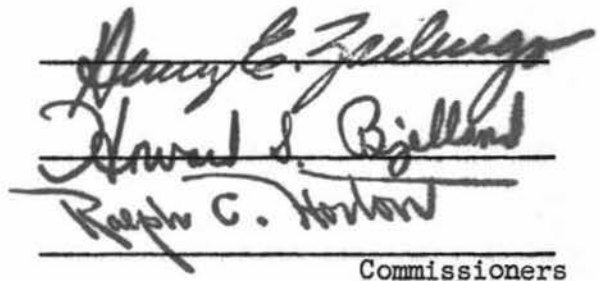
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 22, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 27 day of January 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
Roy INGMIRE, DOING BUSINESS AS, )  
INGMIRE TEXACO, 618 East Circle DRIVE )  
FT MORGAN, COLORADO 80701 )

PERMIT NO M-10646

January 27, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 1, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry C. Ziehl*  
*Harold S. Bjelland*  
*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado,  
this 27 day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF }  
GEORGE T RICHARDS, DOING BUSINESS AS, }  
RICHARDS ROTO ROOTER SERVICE, 113 } PERMIT NO. M-12737  
MAIN AVENUE, LA JUNTA, COLORADO 81050 }

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January 27, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

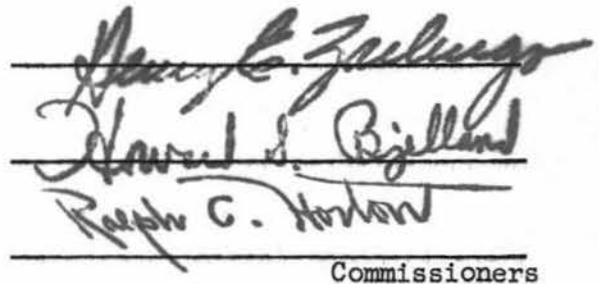
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 27 day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
CARL F HAYNES, DOING BUSINESS AS,  
BLACK HILLS POULTRY COMPANY, 3674  
TRAILVIEW DRIVE, RAPID CITY, SOUTH  
DAKOTA

PERMIT NO. M-13263

January 27, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 19, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry E. Zaehner*  
*Howard S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 27 day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
E-Z KILLDUST CORPORATION, 206 N E 6th )  
STREET, MINNEAPOLIS, MINNESOTA 55413 )  
PERMIT NO. M-15349

January 27, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 24, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry E. Zschueger*  
*Harold S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 27 day of January 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF

MUTUAL CITRUS PRODUCTS COMPANY  
424 SOUTH ATCHISON STREET  
ANAHEIM, CALIFORNIA  
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PERMIT NO. M-15389

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January 27, 1966  
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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.

ORDER

THE COMMISSION ORDERS:

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry C. Zaehner*  
*Edward S. Bjelland*  
*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado,  
this 27 day of January 1966.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
H. S. SERVICE INCORPORATED, 7201 )  
MONACO PARKWAY, P O B OX 288, ) PERMIT NO. M-15655  
COMMERCE CITY, COLORADO 80022 )  
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January 27, 1966  
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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.

ORDER

THE COMMISSION ORDERS:

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,  
this 27 day of January 1966.

(Decision No. 66713)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
HAROLD E. TINSLEY, DOING BUSINESS AS  
"TINSLEY MILK LINE," 2623 EAST  
MONUMENT STREET, COLORADO SPRINGS,  
COLORADO, FOR AUTHORITY TO TRANSFER  
PUC NO. 1570 TO WILLIAM C. BREWER,  
DOING BUSINESS AS "BREWER MILK  
LINE," ROUTE 1, BOX 131 A, COLORADO  
SPRINGS, COLORADO.

APPLICATION NO. 21706

TRANSFER

January 27, 1966

Appearances: William C. Brewer, Colorado  
Springs, Colorado, pro se.

S T A T E M E N T

BY THE COMMISSION:

Harold E. Tinsley, doing business as "Tinsley  
Milk Line," Colorado Springs, Colorado, is the owner and  
operator of PUC No. 1570, authorizing:

"Transportation of milk and cream with the return  
of empty cans in the territory described as:  
Beginning at a point 10 miles west of Peyton;  
north along the center of Range 65-West a distance  
of 18 miles; east a distance of 30 miles; south  
along center line of Range 60-West to State High-  
way No. 94; west on Highway No. 94 to center of  
Range 65; north to point of beginning, to points  
within said area and points outside thereof. The  
towns located within the described area being  
Calhan, Eastonville, Elbert, Ellicott, Falcon,  
Fondis, Kuhn's Crossing, Peyton, Ramah, Shirley  
and Yoder. Dec. 30760, dated 6-28-48, said Dec.  
30531, was amended by eliminating from PUC 1570  
authority to transport: milk and cream from points  
in the described area to points outside thereof,  
with back-haul of empty cans. Dec. 1573 Extended  
to: Call and demand transportation of milk and  
cream from points within his presently authorized  
area to the City of Colorado Springs, Colorado,  
and immediate environs, with back-haul of empty  
cans. Dec. 54696: The right to transport bulk  
milk, in tank trucks, as well as cans, within his  
presently authorized territory."

and by the instant application seeks authority to transfer said PUC No. 1570 to William C. Brewer, doing business as "Brewer Milk Line," Colorado Springs, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Auditorium, County Office Building, Colorado Springs, Colorado, January 24, 1966, and at the conclusion of the evidence, the matter was taken under advisement.

William C. Brewer testified that he has entered into a contract with Harold E. Tinsley, doing business as "Tinsley Milk Line," under which contract Tinsley agrees to sell and Brewer agrees to buy the milk hauling business of Harold E. Tinsley including PUC No. 1570 for the sum of \$8900.00 plus the assumption by Brewer of a mortgage on the milk truck and tank in the amount of \$11,100. Tinsley has already received the \$8900.00. Brewer has had over ten years' experience in the hauling of milk as well as several years' experience in the dairy business. He is now serving some fourteen customers divided into two routes. The truck involved in the sale is a 1965 Mack with a 2700 gallon tank mounted thereon. Brewer further testified that his net financial worth was in excess of \$20,000, that he is familiar with the rules and regulations of the Commission and the statutes of the State of Colorado and will comply therewith if this transfer is approved.

No one appeared in opposition to the proposed transfer.

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

## F I N D I N G S

### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest and should be authorized, as set forth in the Order following.

## O R D E R

### THE COMMISSION ORDERS:

That Harold E. Tinsley, doing business as "Tinsley Milk Line," Colorado Springs, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 1570 to William C. Brewer, doing business as "Brewer Milk Line," Colorado Springs, Colorado, subject to encumbrances, if any, against said authority approved by the Commission.


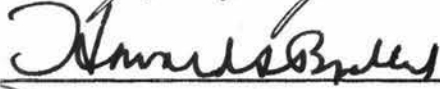

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements 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 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 27th day of January, 1966.

jh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION)  
OF CARROLL McLAIN, BOX 262, )  
FLORENCE, COLORADO, FOR A CLASS )  
"B" PERMIT TO OPERATE AS A ) APPLICATION NO. 21748-PP  
PRIVATE CARRIER BY MOTOR VEHICLE)  
FOR HIRE. )  
- - - - -

- - - - -  
January 27, 1966  
- - - - -

Appearances: Carroll McLain, Florence,  
Colorado, pro se.

S T A T E M E N T

BY THE COMMISSION:

Applicant herein seeks authority to operate as  
a Class "B" private carrier by motor vehicle for hire,  
for the transportation of logs, 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.

Said application, pursuant to prior setting, after  
appropriate notice to all parties in interest, was heard  
at the Auditorium, County Office Building, Colorado  
Springs, Colorado, January 24, 1966, and at the conclusion  
of the evidence the matter was taken under advisement.

Carroll McLain testified that he is the owner of  
a 1957 International truck which he plans to utilize to  
render service if the authority sought herein is granted.

He has had over fifteen years' experience in truck operation, has a net financial worth in excess of \$10,000, and plans to enter into contracts with contractors and individuals for the rendition of service if the authority is granted. He is familiar with the rules and regulations of the Commission and with the statutes of the State of Colorado and will comply therewith. He has been operating under temporary authority issued by the Commission for the past two weeks.

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

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

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

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

##### THE COMMISSION FINDS:

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

That authority sought should be granted, as restricted in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That Carroll McLain, Florence, Colorado, should 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.

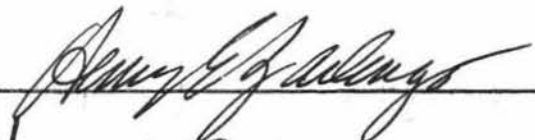
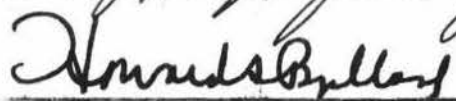
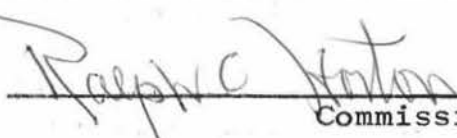
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until applicant has filed 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 27th day of January, 1966  
et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION)  
OF UNION PACIFIC RAILROAD )  
COMPANY TO DISCONTINUE AND ABAN-) APPLICATION NO. 21721  
DON THE STATION AGENCY AT GILL, )  
IN WELD COUNTY, COLORADO. )  
- - - - -

- - - - -  
January 27, 1966  
- - - - -

S T A T E M E N T

BY THE COMMISSION:

On December 27, 1965, application in the instant matter was filed with the Commission by Knowles & Knowles, Denver, Colorado, as attorneys for above Applicant. Request was made for authority to discontinue the Railroad Agency service at Gill, Weld County, Colorado, effective January 31, 1966, and thereafter to handle station business at the station of Greeley, Colorado. Supporting explanatory information and exhibits were offered for Commission consideration.

In conformance with the Commission's rules herein, public notice of the proposed change of service was also posted at the Gill Station. Said Notice included further directions that any public objections should be forwarded to the Public Utilities Commission as directed. No complaints or protests have been received by the Commission.

It appears that estimated population of Gill is about 300 persons, with numerous additional families located in the surrounding farm area. It is located on Colorado Highway No. 37, approximately 10.5 miles east from Greeley and about 5 miles north from Kersey, Colorado. Major activity of the area is livestock feeding and irrigated farming for production of sugar beets, wheat, corn and beans.

For many years past the Gill office has been the reporting station for the non-agency or blind siding points of Alden - MP 8.4; Matthews - MP 13.8; Barnesville - MP 14.5; and Briggsdale - MP 28.1 (End of the Greeley Branch Line). Work was largely seasonal relating to movements of sugar beets and grain. Following heavy flood damage to north portion of the line in 1965 and final decision of Interstate Commerce Commission (F.D. 23077, October 11, 1965) allowing abandonment of the Briggsdale service, the line now terminates near MP 14 between Matthews Beet Dump and Barnesville.

Applicant states that a one-man station is maintained at Gill, which is open Monday through Friday from 8:00 A.M. to 5:00 P.M. Almost all of the revenue at said station is derived from carload shipments to or from Gill and adjacent siding stations. There is no passenger service offered at Gill, since the only operation conducted on this branch line is for carload business "On Call". It is proposed that the Gill Station business be transferred to the station agency at Greeley,

Colorado, some 10.5 miles west from Gill. Gill is served by various private truck lines; mail service is by Star Route; and the agency is not necessary for the transmission of messages or train orders in railroad operations.

Upon investigation of this matter by the Commission, it was determined there has been very little local interest in maintenance of the station. In fact, major work at the station has related to the seasonal movement and billing of grain and sugar beets from the non-agency or blind-siding stations of Alden, Matthews, Barnesville and Briggsdale. Meanwhile, incoming traffic to Gill has averaged about 40 carloads per year consisting of fertilizer, coal, livestock and recently feed and salt. Summary of station activity at Gill shows the following:

1. Carloads Received at Gill:

<u>Year</u>	<u>No.</u>	<u>Monthly Activity</u>	<u>Consignees</u>
1963	38	0 - Apr. June July Sept.	4
1964	58	0 - May June July	6
1965 (9 mos)	5	0 - Mar. Apr. May June July	2

2. Carloads Forwarded at Gill:

<u>Year</u>	<u>No.</u>	<u>Sugar Beets</u>	<u>Wheat, Beans, Cattle</u>
1963	160	100	60
1964	615	546	69
1965 9 mos)	13	-	13

3. Total Station Reporting - Gill (Fwd & Rec) Carloads

<u>Year</u>	<u>Gill</u>	<u>Sidings</u>	<u>Total</u>
1963	198	1174	1372
1964	673	994	1667
1965 (9 mos)	18	24	42

Analysis of the station data reveals the limited volume of public service that is required at the Gill station for the once-per-week freight service. With the continuation of customary local switching, all carload business can be maintained. Patrons in this area have been served for many years so that credit, unloading, and damage claim procedures are readily available to eliminate handling delays. Meanwhile, with modern methods of travel and communication, only minor inconvenience to the public may be anticipated.

As previously noted, the beet traffic is seasonal, moving in October, November, December and occasionally during January. This work is done by the local switching crew working from LaSalle and Greeley; so that transfer of billing work to the Greeley office will secure the advantage of faster handling by a larger mainline station. In this regard, the Commission is quite aware that it is common railroad practice to handle routine billing operations at a station other than the actual point of origin or destination.

It has been noted also in this instance, that there is not the usual question of minimum or marginal revenues; apparently for the reason that there is a good volume of seasonal sugar-beet traffic. Meanwhile, the Agent who has been retained to meet the year-around convenience or necessity of the local patrons has since retired, and as noted above, there are many months when there is no station activity. Hence, the instant proposal is made

in the interest of improved operating efficiency, where-  
in elimination of the station expense and wages will  
offer a savings of some \$6,000 annually.

It is therefore the belief of the Commission  
that the proposed station closing is compatible with the  
public interest, and in the absence of any protests there-  
to, the Commission determined to hear, and has heard said  
matter forthwith, without further notice upon the records  
and files herein.

### F I N D I N G S

#### THE COMMISSION FINDS:

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

That safe and economical railroad operation does  
not require the maintenance of an agent at the Gill Station,  
Gill, Colorado.

That there will be a continuation of local switching  
service and trackage; which, with only minor inconvenience  
on the whole, will be adequate to meet limited requirements  
of the Gill area.

That the expenses involved in maintaining an Agent  
at Gill are not justified in view of the proposed change  
and shorter Branch line.

That the public convenience and necessity no  
longer require the continued maintenance of an Agency Sta-  
tion at Gill, Colorado, by Union Pacific Railroad Company.

That said Railroad Company should be authorized  
to discontinue its Agency service at Gill, Weld County,  
Colorado.

O R D E R

THE COMMISSION ORDERS:

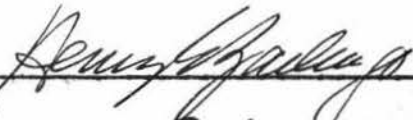
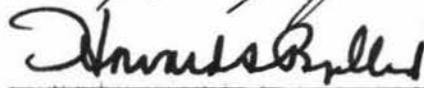
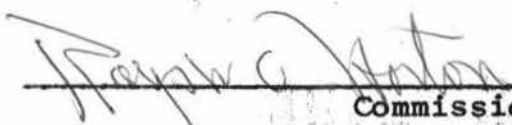
That Applicant herein, Union Pacific Railroad Company, be, and is hereby authorized to, discontinue its Agency service at Gill, Colorado, and to thereafter maintain same as a prepay or non-agency station served through the Greeley Agency office.

That reference shall be made to this decision in the respective tariff schedules to show closing of the Gill Agency office and as authority for such action.

That the Commission shall retain jurisdiction in this matter, to make such further Order or Orders as may be required.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 27th day of January, 1966.



(Decision No. 66716)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION)  
OF NORMAN H. STRAUSBORGER, DOING)  
BUSINESS AS "NORM'S HAULING )  
SERVICE," 1375 SOUTH LOWELL, )  
DENVER, COLORADO, FOR AUTHORITY ) APPLICATION NO. 21705-  
TO TRANSFER PUC NO. 3552 TO FRED) TRANSFER  
G. FLOREZ, 4451 WEST NEVADA )  
PLACE, DENVER, COLORADO. )  
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-----  
January 27, 1966  
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Appearances: Norman H. Strausborger,  
Denver, Colorado, pro se;  
Fred G. Florez, Denver,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Norman H. Strausborger, doing business as "Norm's Hauling Service," Denver, Colorado, was granted a certificate of public convenience and necessity PUC No. 3552, authorizing operation as a common carrier by motor vehicle for hire, for:

Transportation of ashes, trash, and other waste materials, between points within the City and County of Denver described as follows: All that part of said City lying south of Alameda and West of Federal Boulevard, and from said described area to regularly-designated and approved dumps and disposal places in the Counties of Adams; Arapahoe, and Jefferson, State of Colorado; applicant to be limited to the use of one three-fourth-ton truck in the conduct of said operations.

By the above-styled application, said certificate-holder seeks authority to transfer PUC No. 3552 to Fred G. Florez, 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 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 the transferor herein appeared and testified in support of the application, stating that the consideration for the transfer of said certificate and one 3/4-ton truck is the sum of \$300; and that there is no outstanding indebtedness against said operation.

Transferee also appeared and testified that he will have ample and suitable equipment, sufficient net worth and operating experience with which to continue operations under said certificate.

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 following Order.

O R D E R

THE COMMISSION ORDERS:

That Norman H. Strausborger, doing business as "Norm's Hauling Service," Denver, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 3552 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference --- to Fred G. Florez, Denver, 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 transfer of said certificate.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry E. Zuckers*

*Howard B. Bell*

*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado,  
this 27th day of January, 1966.

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(Decision No. 66717)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: CONCRETE PIPE - PRIVATE  
CARRIER CONTRACT TRUCKLOAD RATES }

CASE NO. 5214

- - - - -  
January 27, 1966  
- - - - -

Appearances: John R. Barry, Esq., Denver,  
Colorado, for Jim Chelf, Inc.;  
John P. Thompson, Esq., Denver,  
Colorado, for Denver-Climax  
Truck Lines, Inc., Intrastate  
Line Haul Carriers;  
A. J. Tait, Denver, Colorado,  
for the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

On February 13, 1963 in the above-entitled matter the Commission entered its Decision No. 60413. On March 1, 1963 a Motion for Rehearing was filed by Denver-Climax Truck Lines, Inc., and Motor Truck Common Carriers Association. Likewise, on February 27, 1963 the Colorado Transfer and Warehousemen and Weicker Transfer and Storage Co. also filed Motion for Rehearing. On March 11, 1963, by Decision No. 60203, the Commission granted the rehearing. Since that time, due to matters pending in court, the above matter has been held in abeyance, but was eventually set for hearing on November 17, 1965 at 10:00 o'clock A.M. at 532 State Services Building, Denver, Colorado.

On November 12, 1965, John J. Conway, Attorney, filed a formal petition for intervention on behalf for the Contract Carriers Conference of the Colorado Motor Carriers Association. When the hearing was called, the Motion was first considered. On November 15, 1965, Attorney John P. Thompson appearing for Denver-Climax Truck Lines, Inc.,

et al, filed a formal objection to Intervention. After listening to arguments of respective counsel, the Commissioner conducting the hearing was impressed with the arguments and requested that Briefs or Statements of Position be filed and the matter continued for further hearing of Case No. 5214. The briefs are now in and have been duly considered by the Commission.

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

##### THE COMMISSION FINDS:

That, in the judgment of the Commission, Intervenor, Contract Carriers Conference of the Colorado Motor Carriers Association have sufficient interest in Case No. 5214 to intervene.


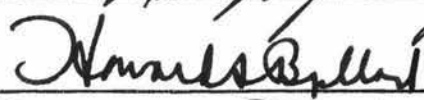
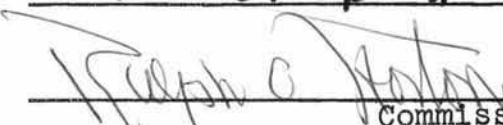
#### O R D E R

##### THE COMMISSION ORDERS:

That the Application for Intervention filed November 12, 1965, be, and the same hereby is, granted.

That Rehearing of Case No. 5214 be re-set at a future date to be determined by the Commission, with notice to all parties entering a formal appearance in said matter.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
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Commissioners

Dated at Denver, Colorado,  
this 27th day of January, 1966.

jh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
GROSS AND SONS TRANSPORT COMPANY  
1706 Arlington Street  
Independence, Missouri

AUTHORITY NO. B 5936-I

CASE NO. 3620 Ins.

January 27, 1966

S T A T E M E N T

By the Commission:

On December 8, 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. Zeilinger*  
*Howard S. Bjelland*  
Commissioners

Dated at Denver, Colorado,  
this 27th day of January, 1966



(Decision No. 66719)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION)  
OF OTTO D. MATHIS, 5947 SOUTH )  
RAPP, P. O. BOX 385, LITTLETON, )  
COLORADO, FOR A CLASS "B" PERMIT )  
TO OPERATE AS A PRIVATE CARRIER )  
BY MOTOR VEHICLE FOR HIRE. )  
- - - - -

APPLICATION NO. 21371-PP  
SUPPLEMENTAL ORDER

- - - - -  
January 27, 1966  
- - - - -

Appearances: Otto D. Mathis, Little-  
ton, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On December 27, 1965, the Commission entered Decision No. 66493, in the above-styled application, revoking operating rights granted to the above-styled applicant by Decision No. 65618, dated August 20, 1965, for failure of said applicant to comply with requirements set forth in said Decision No. 65618.

It now appears that applicant has complied with all requirements of Decision No. 65618, and requests reinstatement of operating rights granted thereby.

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

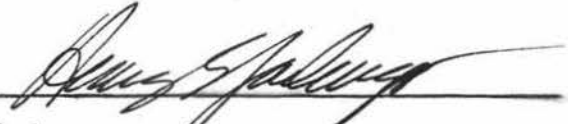
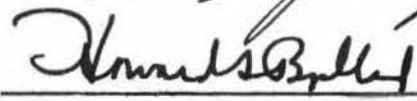
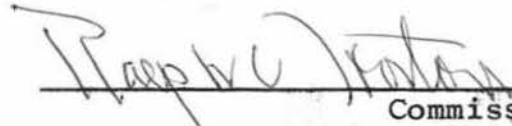
O R D E R

THE COMMISSION ORDERS:

That Decision No. 66493, dated December 27, 1965, be, and the same hereby is, vacated, set aside, and held

for naught, as of said 27th day of December, 1965,  
and operating rights heretofore granted to the above-  
styled applicant by Decision No. 65618, dated August  
20, 1965, be, and the same hereby are, restored to  
active status, as of said date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 27th day of January, 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION)  
OF NORMAN L. CLARK, DOING BUSI- )  
NESS AS "NORMAN CLARK LOGGING," )  
P. O. BOX 398, ANTONITO, COLO- )  
RADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
- - - - -

APPLICATION NO. 21440-PP  
SUPPLEMENTAL ORDER

- - - - -  
January 27, 1966  
- - - - -

Appearances: Norman L. Clark, Anton-  
ito, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On January 18, 1966, the Commission entered Deci-  
sion No. 66628 in the above-styled application, revoking  
operating rights granted to the above-styled applicant by  
Decision No. 66006, dated October 7, 1965, for failure  
of said applicant to comply with requirements set forth in  
said Decision No. 66006.

It now appears that applicant has complied with  
all requirements of Decision No. 66006, and requests re-  
instatement of operating rights granted thereby.

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


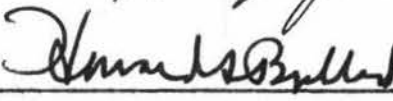

O R D E R

THE COMMISSION ORDERS:

That Decision No. 66628, dated January 18, 1966,  
be, and the same hereby is, vacated, set aside, and held

for naught, as of said 18th day of January, 1966, and operating rights heretofore granted to the above-styled applicant by Decision No. 66006, dated October 7, 1965, be, and the same hereby are, restored to active status, as of said date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
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Commissioners

Dated at Denver, Colorado,  
this 27th day of January, 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

IN THE MATTER OF THE APPLICATION )  
OF CHARLES C. CORN, DOING BUSINESS )  
AS "BOULDER DISPOSAL SERVICE," )  
825 CORTEZ STREET, COSTA MESA, CAL- )  
IFORNIA, FOR AUTHORITY TO TRANSFER ) APPLICATION NO. 21704-  
PUC NO. 3964 TO BOULDER DISPOSAL, ) TRANSFER  
INC., 3155 STANFORD, BOULDER, )  
COLORADO. )  
- - - - -

- - - - -  
January 27, 1966  
- - - - -

Appearances: Stanley A. Black, Esq.,  
Boulder, Colorado, for  
Transferor;  
Clarence Bosman, Boulder,  
Colorado, for Transferee.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Charles C. Corn, doing business as  
"Boulder Disposal Service," was granted a certificate of  
public convenience and necessity, PUC No. 3964, author-  
izing operation as a common carrier by motor vehicle for  
hire, for:

"Transportation of ashes, trash, and other  
waste materials, between points within the  
City of Boulder, Colorado, and a five-mile  
radius thereof, and from said area, to  
regularly-designated and approved dumps and  
disposal places in Boulder, State of Colorado."

By the above-styled application, said certificate-  
holder seeks authority to transfer PUC No. 3964 to Boulder  
Disposal, Inc., Boulder, 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 Stanley A. Black, as attorney for the Transferor, stated that the Transferor was out of the state and that he, as his attorney, was appearing on behalf of the Transferor stated that the details relating to the transaction are set forth fully in the Sales Agreement filed with the application.

Clarence Bosman, Boulder, Colorado, testified that he is the President of Boulder Disposal, Inc. and that he has contracted for the purchase of PUC No. 3964 from Charles C. Corn, doing business as "Boulder Disposal Service;" that a copy of the Sales Agreement was filed with the application and that as shown therein, the consideration for the sale is \$16,800.00; that the consideration includes the business of the Transferor including a vehicle as described on page 3 of the Sales Agreement; that, in addition, certain debts of the Transferor were being assumed by his company and that the full particulars are set forth in detail in the Sales Agreement; that on the effective date of the transfer, which is conditional upon the Commission approving the within application, the authority to be transferred together with the business assets of the Transferor will be free and clear of any liens, encumbrances or obligations except as noted in the Agreement.

Mr. Bosman stated that he and other officers and employees of the transferee corporation are

experienced in the transportation of ashes and trash; that they are fully aware of the rules, regulations and laws of the State of Colorado pertaining to common carriers and as in the past, will carefully observe such rules, regulations and laws; that the transferee corporation is presently engaged in the ash and trash business under other authority granted by the Commission and that the within authority does not overlap, that arrangements have been made for insurance as required by the Commission; and that the transferee corporation has adequate and sufficient net worth to provide the services as authorized under the authority 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 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 following Order.

#### O R D E R

##### THE COMMISSION ORDERS:

That Charles C. Corn, doing business as "Boulder Disposal Service," Costa Mesa, California, be, and hereby is, authorized to transfer all right, title, and interest





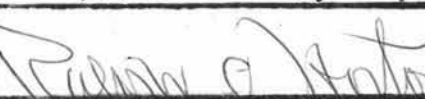
in and to PUC No. 3964 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Boulder Disposal, Inc., a Colorado corporation, Boulder, Colorado, subject to encumbrances, if any, against said certificate, approved by this Commission.

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 the Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

The right of transferee to operate under this Order shall depend upon 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 27th day of January, 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
SAN JUAN BASIN DAISY INC., 301  
SANTA CLARA AVENUE, GRAND JUNCTION,  
COLORADO, FOR AUTHORITY TO TRANSFER  
PERMIT NO. B-6117 TO CLYMERS' ROSE  
GLEN DAIRY, INC., 301 SANTA CLARA  
AVENUE, GRAND JUNCTION, COLORADO.

APPLICATION NO. 21586-PP

TRANSFER

January 27, 1966

Appearances: Eugene H. Mast, Esq., Grand  
Junction, Colorado, for  
Transferor and Transferee.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore San Juan Basin Dairy Inc., Grand  
Junction, Colorado, was authorized to operate as a Class  
"B" private carrier by motor vehicle for hire, Permit No.  
B-6117, authorizing:

"Transportation of raw fluid milk, between the  
following-described areas: (a) to pick up said  
commodity at any point within an air line radius  
of twenty miles from the City of Grand Junction,  
and to transport the same to Grand Junction,  
Colorado, or Delta, Colorado; (b) to pick up said  
commodity at any point within an air line radius  
of ten miles from the City of Rifle, Garfield  
County, Colorado, and to transport the same into  
the City of Rifle, Colorado, or Grand Junction,  
Colorado, or Delta, Colorado; (c) to pick up said  
commodity at any point within an air line radius  
of thirty miles from the City of Delta, Colorado,  
and to transport the same into the City of Delta,  
Colorado, or to Grand Junction, Colorado, for  
Western Colorado Milk Producer's Association, Inc.,  
Grand Junction, Colorado, and Clymers' Ranch &  
Livestock Co., Grand Junction, Colorado, provided,  
however, that applicant shall not handle or accept  
C.O.D. shipments."

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, Wayne A. Wolford, appeared and testified that he is the Office Manager for Clymers' Rose Glen Dairy, Inc., the transferee, and has been authorized by the officers of that corporation to appear and present evidence in support of the within application.

This witness identified Exhibit A as a Balance Sheet of Clymers' Rose Glen Dairy, Inc. as of June 30, 1965, and stated that this Balance Sheet substantially reflected the financial condition of this corporation as of the date of hearing. He identified Exhibit B as the tariff filed on behalf of the transferor which had been issued February 8, 1965, and stated that the transferee corporation would continue to operate under the terms and provisions of this tariff.

Mr. Wolford testified that San Juan Basin Dairy Inc. had merged with Clymers' Rose Glen Dairy, Inc.; that San Juan Basin Dairy, Inc. would no longer exist; and that the merger was accomplished by issuing to the stockholders of the transferor corporation shares of stock in the transferee corporation in exchange for their stock; that the transferee corporation would continue to operate under the authority of Permit No. B-6117 in the same manner as it was

previously operated, and the officers and employees of Clymers' Rose Glen Dairy, Inc. are experienced in the type of transportation authorized; that the officers and employees are fully informed as to the rules, regulations and laws of the State of Colorado pertaining to private carriers and would carefully observe the same; and that insurance as required by the Commission would be provided.

Eugene H. Mast, attorney for Transferor and Transferee, stated that a certificate reflecting the corporate status of Clymers' Rose Glen Dairy, Inc. as a Colorado corporation together with the Articles of Incorporation would be secured and filed with the Commission as a late filed exhibit. On January 19, 1966 this certificate and the Articles of Incorporation were received from Mr. Mast and will be considered as an exhibit in connection with the application herein.

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 following Order.

#### O R D E R

##### THE COMMISSION ORDERS:

That San Juan Basin Dairy Inc., Grand Junction, Colorado, be, and hereby is, authorized to transfer all right,

title, and interest in and to Permit No. B-6117 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Clymers' Rose Glen Dairy, Inc., a Colorado corporation, Grand Junction, 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 revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 27th day of January, 1966.

jh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION )  
OF SAN ISABEL ELECTRIC ASSOCIATION, )  
INC., A COLORADO CORPORATION, 316 )  
WEST 15TH STREET, PUEBLO, COLORADO, )  
FOR AN ORDER AUTHORIZING IT TO EXECUTE )  
A NOTE TO SECURE A LOAN FROM THE )  
RURAL ELECTRIFICATION ADMINISTRATION )  
IN THE SUM OF \$85,000.00 )

APPLICATION NO. 21777  
Securities

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January 26, 1966  
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S T A T E M E N T

BY THE COMMISSION:

Upon consideration of the application filed on January 25, 1966  
by San Isabel Electric Association, Inc., a corporation, in the above  
styled matter:

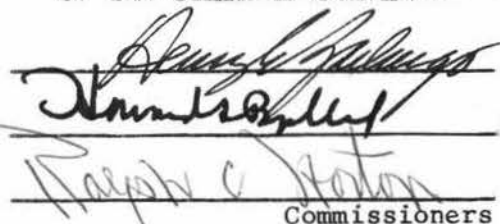
O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on February 2, 1966,  
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 con-  
sumers or security holders of applicant corporation, and any other  
person whose participation herein is in the public interest, may inter-  
vene in said proceeding. Intervention petitions 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.

Dated at Denver, Colorado,  
this 26th day of January, 1966

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION )  
OF LESTER MADISON, 328 SOUTH CONEJOS, )  
COLORADO SPRINGS, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUC NO. 2194 ) APPLICATION NO. 21724  
TO COLORADO SPRINGS LANDFILL, INC., ) TRANSFER  
110 WEST FOUNTAIN, COLORADO SPRINGS, )  
COLORADO. )  
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January 27, 1966  
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Appearances: Thomas D. Gresham, Esq., Colo-  
rado Springs, Colorado, for  
the Transferor and Transferee;  
James Frank, and  
Dave Frank, Colorado Springs,  
Colorado, for Superior  
Sanitation, Inc., Protestant

S T A T E M E N T

BY THE COMMISSION:

Lester Madison, Colorado Springs, Colorado, is the owner and operator of PUC No. 2194, authorizing the transportation of ashes, trash, dirt, rock, fertilizer, rubbish, grass clippings, brush, leaves, and other waste material, in Colorado Springs, Colorado, and a ten-mile radius thereof, and by the instant application seeks authority to transfer said PUC No. 2194 to Colorado Springs Landfill, Inc., Colorado Springs, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Auditorium, County Office Building, Colorado Springs, Colorado, January 24, 1966, and at the conclusion of the evidence, the matter was taken under advisement.

Lester Madison testified that he is the owner of PUC No. 2194 and that he wishes to transfer such authority

to Colorado Springs Landfill, Inc. He has been in the ash, trash and garbage removal business for about twenty three years. His original authority was issued by the Commission in 1950. The debts of the operation have been paid. Madison has been serving approximately 250 customers located in the City of Colorado Springs. After Madison decided to transfer the authority to the transferee, Madison ceased to furnish service to these customers. Apparently such cessation of service occurred about the time the application to transfer was filed with the Commission on December 28, 1965.

Thomas McLaughlin, the Vice-President of transferee, testified that Colorado Springs Landfill, Inc. wishes to acquire PUC No. 2194 and that such transferee has agreed to pay to Lester Madison the sum of three times the amount of the monthly rate charged a given customer per customer. In other words, if Madison had a customer who was charged \$3.00 a month for service the transferee would pay to Madison the sum of \$9.00. The amount to be paid for each customer would be computed separately and the amount totalled, which total amount would be the purchase price for the authority. McLaughlin further testified that the transferee would start rendering service as soon as the transfer is approved and plans to acquire the necessary trucks for such an operation. The transferee now operates a dump.

John Becker, President of the transferee, identified the financial statement of the transferee corporation attached to the application herein, which shows the transferee to have total assets in the amount of \$41,486.04, total liabilities in the amount of \$23,014.40

and equity in the amount of \$18,471.64.

Protestants herein introduced no evidence in support of their protest but argued that PUC No. 2194 had been abandoned. Under the circumstances in this case, we do not feel that the cessation of service for a brief period pending transfer constitutes abandonment.

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

### F I N D I N G S

#### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest and should be authorized, as set forth in the Order following.

### O R D E R

#### THE COMMISSION ORDERS:

That Lester Madison, Colorado Springs, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 2194 to Colorado Springs Landfill, Inc., Colorado Springs, Colorado, subject to encumbrances, if any, against said authority approved by the Commission.

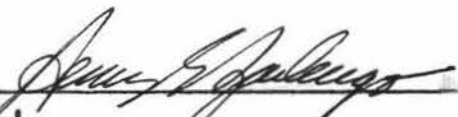
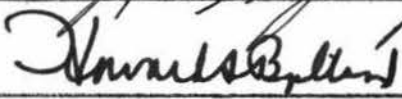
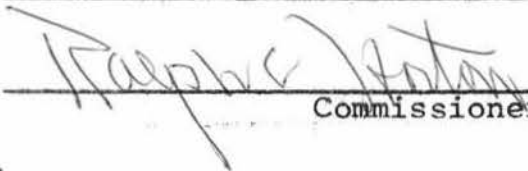
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements 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 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 27th day of January, 1966.

ls

(Decision No. 66725)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION)  
OF WILLIAM R. MATT, BOX 361, )  
BROOMFIELD, COLORADO, FOR RE- )  
INSTATEMENT OF PUC NO. 4748, AND)  
FOR AUTHORITY TO TRANSFER SAID )  
OPERATING RIGHTS TO BROOMFIELD )  
TRANSPORTATION CO., A CORPORA- )  
TION, 1225 WESTVIEW DRIVE, )  
BOULDER, COLORADO. )

APPLICATION NO. 21696-Transfer

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January 31, 1966  
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Appearances: Declan J. O'Donnell, Esq.,  
Denver, Colorado, for  
Transferor;  
E. A. Howard Baker, Esq.,  
Denver, Colorado, for  
Transferee.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, William R. Matt, Broomfield, Colorado,  
was granted a certificate of public convenience and neces-  
sity, PUC No. 4748, authorizing operation as a common  
carrier by motor vehicle for hire, for:

Transportation of passengers and their baggage  
in the same vehicle, by means of five-passenger  
sedan taxicabs, and a small package delivery  
service, to and from Broomfield, Colorado, and  
a 7½-mile radius around Broomfield, to points  
and places within a 25-mile radius of Broom-  
field, with no pickup service out of the 7½-mile  
radius of Broomfield, and wherever said 7½-mile  
radius from Broomfield overlaps a 9-mile radius  
of the city limits of Boulder, that any pickup  
service within such area of overlap must termin-  
ate in Broomfield, PROVIDED, HOWEVER, that such  
transportation of packages shall be performed  
in taxicabs only, and that no individual item

so transported shall exceed 50 pounds in weight, and PROVIDED that each delivery from one origin to one destination shall be charged as though the applicants had transported one passenger from that origin to that point of delivery in addition to any extra charge made for leaving the vehicle to pick up or deliver such item.

Said certificate presently being under suspension from October 1, 1965 until April 1, 1966, by Decision No. 66223, dated November 9, 1965.

By the above-styled application said certificate-holder seeks reinstatement of PUC No. 4728 and authority to transfer said operating rights to Broomfield Transportation Co., a corporation, Boulder, 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 William R. Matt, the Transferor herein, appeared and testified in support of the granting of the instant application, stating that he has entered into an agreement for the sale of this authority to the Broomfield Transportation Company and is therefore requesting that the suspension be lifted for the purpose of transferring PUC No. 4748 and that the Commission approve the transfer of this authority as re-

quested in the within application.

Mr. Matt identified Exhibit 1 as a Bill of Sale and stated that it fully expresses the provisions of the sale.

Don W. Ives, Boulder, Colorado, testified that he is the president and Treasurer of the Broomfield Transportation Company, a Colorado corporation; that at the time of filing the within application, the Articles of Incorporation were also filed together with a financial statement for the corporation; that he and other officers and employees were experienced in conducting the type of transportation provided by PUC No. 4748; that two 4-Dr. sedans had been acquired to provide the transportation needs and that if additional equipment is required to fulfill the demand for service, the transferee corporation has the financial ability to provide such additional equipment; that he and other officers and employees of the transferee corporation are acquainted with the rules, regulations and laws of the State of Colorado pertaining to common carriers and if the within application is approved, such rules, regulations and laws will be carefully observed in the company's operations under PUC No. 4748; and that arrangements have been made to provide 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 operations; 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 following Order; and that said certificate should be reinstated for the purpose of transfer.

#### O R D E R

##### THE COMMISSION ORDERS:

That PUC No. 4748 be, and the same hereby is, reinstated for the purpose of transfer.

That William R. Matt, Broomfield, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 4748 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Broomfield Transportation Co., a Colorado Corporation, Boulder, 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


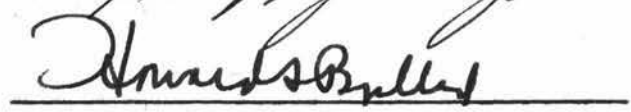
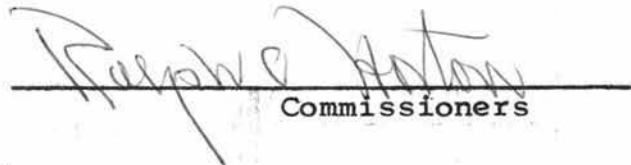
file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority granted herein to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission,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

Dated at Denver, Colorado,  
this 31st day of January, 1966.  
et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION)  
OF MELVIN K. WING, BOX 318, )  
OLATHE, COLORADO, FOR A CLASS )  
"B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE) )  
FOR HIRE. )

APPLICATION NO. 21727-PP

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January 31, 1966  
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Appearances: Don E. Cashen, Esq.,  
Montrose, Colorado,  
for Applicant;  
Royce D. Sickler, Esq.,  
Denver, Colorado, for  
Rio Grande Motor Way,  
Inc.;  
T. L. Brooks, Esq.,  
Montrose, Colorado, for  
Orville Dunlap & Son.

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 farm produce, not including  
livestock, from fields to places of storage, loading  
points, markets and from point to point in a 15-mile  
radius of Olathe, 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 on behalf of the Applicant, Don E. Cashen moved to amend the application to clarify the fact that Applicant is applying for authority only within a 15-mile radius of Olathe, Colorado. This being a motion to amend and clarify the application, the motion was allowed by the Examiner and the application was considered as so amended. Thereupon, Royce D. Sickler, on behalf of Rio Grande Motor Way, Inc., requested that its protest be withdrawn.

Melvin K. Wing, Olathe, Colorado, the Applicant herein, testified that he has had numerous requests to haul farm produce, not including livestock, from fields to places of storage, loading points, and markets within a 15-mile radius of Olathe, Colorado and has also had other requests from point to point transportation within the same 15-mile radius; that approximately 75% of the requests involve the transportation of onions from fields to storage cellars and thereafter, from the storage cellar to the warehouse for sorting and packing; that he has had considerable experience in this type of transportation; that he owns three vehicles (2 onion elevators and a grain auger) which he uses in connection with the transportation of farm produce; that, in his opinion, he owns sufficient equipment to provide the transportation needs for which he is seeking authority.

This witness explained that in the case of onions, the transportation is in two phases. Initially, the onions must be taken from the fields and transported to the storage cellars. This process requires usually the employment of four men and includes the operation of an onion elevator at the side of the truck. The second phase of the transportation is from the onion cellar to the warehouse of the distributor where the onions are sorted and finally packed for shipment outside the area. Mr. Wing stated that in order for the transportation of onions within the 15-mile radius to be economically feasible, it is necessary that he be authorized to provide both phases of transportation as above described.

Mr. Wing identified Exhibit A as a Petition signed by a number of persons in the Olathe area who therein indicate a need for the transportation service offered by the Applicant. Mr. Wing stated he is familiar with the rules, regulations and laws of the State of Colorado pertaining to private carriers and that he would observe such rules, regulations and laws; and that arrangements have been made to provide for insurance as required by the Commission.

In support of the protest of Orville Dunlap & Son, Montrose, Colorado, C. H. Cox of the United Produce Company, Delta, Colorado, and Gerald Harris of the Olathe Potato Growers Association, Olathe, Colorado, testified that in their opinion the existing transportation facilities in the area were sufficient to meet the requirements of those desiring the transportation of farm produce.

The facilities available were not described in detail and one of the witnesses was unable to state whether the Protestant Orville Dunlap & Son handled any of the transportation for the Olathe Potato Growers Association.

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 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 Melvin K. Wing, Olathe, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of farm produce, not including livestock, from fields to places of storage, loading points, markets and from point to point in a 15-mile radius of Olathe, Colorado; and this ORDER

shall be deemed to be, and be, a PERMIT therefor.

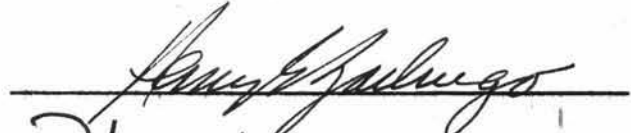
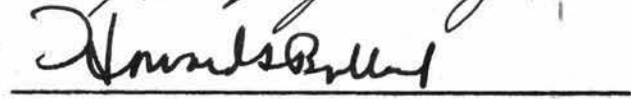
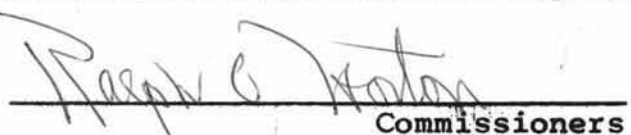
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until Applicant has filed 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 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 31st day of January, 1966.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION )  
OF APPLEWOOD UTILITIES, INC., 2680 )  
YOUNGFIELD STREET, DENVER, COLO- )  
RADO, FOR APPROVAL OF CERTAIN )  
CONTRACTS RELATIVE TO CERTIFICATES ) APPLICATION NO. 21687  
OF STOCK OF THE AGRICULTURAL DITCH )  
AND RESERVOIR COMPANY, A COLORADO )  
CORPORATION. )  
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January 31, 1966  
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Appearances: Gorsuch, Kirgis, Campbell,  
Walker and Grover, Esqs.,  
Denver, Colorado, by  
Leonard M. Campbell, Esq.,  
for Applicant;  
George Sweeney, Denver,  
Colorado, for the water  
consumers and customers  
of Applicant;  
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 was filed with this Commission on the 7th day of December, 1965, for consideration of certain contracts relative to the use of water by Applewood Utilities, Inc., as Applicant, under certificates of stock of the Agricultural Ditch and Reservoir Company, a Colorado corporation, jointly held by the Applicant, Applewood Utilities, Inc., and individual members of the Bunger family.

The matter was set for hearing after due notice to all interested parties, in the Commission's Hearing Room, 532 State Services Building, Denver, Colorado, on January 4, 1966, at ten o'clock A.M. At said time and

place the matter was duly heard by the Commission and at the conclusion of the hearing was taken under advisement.

Applicant is a Colorado corporation, authorized, among other purposes, to distribute water as a public utility, under certificates of public convenience and necessity issued by this Commission in:

Application No. 13481, Decision No. 44429  
of July 18, 1955;  
Application No. 14042, Decision No. 45710  
of April 20, 1956;  
Application No. 15267, Decision No. 47948  
of May 27, 1957;  
Application No. 16783, Decision No. 51977  
of March 26, 1959;  
Application No. 18980, Amended; Decision  
No. 59060 of August 10, 1962.

By virtue of the above decisions, the Applicant has been authorized heretofore by the Commission to furnish water service to a maximum of 510 connections. The area in which Applicant is to render this service has been designated in said orders.

Applicant's general service and rates in the area it serves in Jefferson County, State of Colorado, as well as its rules and regulations for water service have been subject to the jurisdiction and approved by this Commission, but to date no formal determination has been made by the Commission of Applicant's property dedicated to public use for rate making purposes.

In the course of various hearings the Applicant has shown, as a part of its water resources, that it had available to it the right to use water supplied by and through the Agricultural Ditch and Reservoir Company, a Colorado corporation. These rights were described as representing 660 inches of water from said Ditch Company, and at the latest hearing before the Commission

relative to emergency rates for the Applicant reference was made to contracts executed in August, 1964, between the Applicant and members of the Bunger family as follows:

Date of Agreement	:	August 14, 1964
Party to Agreement	:	Mills E. Bunger
Shares of Stock	:	1-33/40ths
Inches of Water	:	73 inches

Date of Agreement	:	August 14, 1964
Party to Agreement	:	Myron T. Bunger
Shares of Stock	:	5-28/40ths
Inches of Water	:	228 inches

Date of Agreement	:	August 24, 1964
Party to Agreement	:	Applewood, Inc.
Shares of Stock	:	7-29/40ths
Inches of Water	:	309 inches

The other party to each of the above agreements was the Applicant, Applewood Utilities, Inc.

Some dissatisfaction with said agreements of August, 1964, was expressed by water users and consumers in the area, and questions were raised by the Commission's staff relative to the dedication of the water to public use, and the continued availability without forfeiture of rights by the Utility Company. In the circumstances, the Applicant obtained new agreements, dated December 11, 1965, with individual members of the Bunger family between the last hearing on its emergency rates, and approval of these new agreements is the subject matter of the application and hearing.

Mr. James Butler, an accountant for the Company, testified relative to the rights between Applewood, Inc., and Applewood Utilities, Inc., regarding the 7-29/40ths shares of stock of the Agricultural Ditch and Reservoir Company, title to which was previously held in the name of Applewood, Inc., and the cost of investment to Myron T. Bunger of the 5-28/40ths shares in said Ditch Company acquired by him, title to which is now jointly held in

the Applicant's and his names.

Mr. Butler's testimony disclosed that Applewood, Inc., a Colorado corporation and a developer of land in the area, had held title in its corporate name to 7-29/40ths shares of the Agricultural Ditch and Reservoir Company (sometimes referred to as the Aggie Ditch Company), representing 309 inches of water, and had entered into an agreement dated August 24, 1964, whereby said water was available to the Applewood Utilities, Inc. At the time of the hearing on January 4, 1966, Mr. Butler testified that the agreement of August 24, 1964, had been cancelled and the certificates to these 7-29/40ths shares of stock, representing 309 inches of water, had been transferred to and remained in the sole name of Applewood Utilities, Inc., under certificates No. 4562, No. 4588 and No. 4589 of the Agricultural Ditch and Reservoir Company. He stated that photostatic copies of the actual certificates had been delivered to members of the staff of the Commission. Testimony was given that no outside person had any ownership rights in these stock certificates, which Mr. Butler described as being owned in "fee simple" by the Applicant, Applewood Utilities, Inc. It was noted that the certificates were pledged to The Central Bank and Trust Company, said pledge being "subject to the approval of the Public Utilities Commission."

Mr. Butler further stated that he had made an examination of the cancelled checks of Myron T. Bunger, relative to the acquisition by Mr. Bunger of 5-28/40ths shares of stock of the Aggie Ditch Company, and from his analysis of these checks back to 1943 the cost thereof was \$22,754.66 representing the capital expense to

Myron T. Bunger for this stock, with the exception that records were not available for the acquisition cost for a few shares which were priced at \$100 per inch. It was noted that the 228 inches represented by these shares would aggregate \$22,800 at \$100 per inch, or slightly more than the \$22,754.66, which was disclosed to be the option price at which the Applicant could obtain the water by purchase from Myron T. Bunger.

Myron T. Bunger was called as a witness and identified Exhibits A, B and C, which were contracts between the Applicant, Applewood Utilities, Inc., and Myron T. Bunger, Byron M. Bunger (his son), and Mills E. Bunger (his brother). He testified that the documents were each executed in his presence by the parties whose names appear on page four of each document, and that the parties were fully advised of the terms thereof. He also identified the certificate of resolution of Applewood Utilities, Inc., and testified that there had been no amendment to any of the contracts nor to the corporate resolution.

Mr. Bunger stated that the purpose of the agreements was to provide the use of water to the Utility Company under the terms of the agreements, and that it was the purpose that the water should be dedicated to the public use to be available to the Applewood Utilities, Inc., without right of forfeiture by the individual owners, and that all actions relative to the certificates would be subject to approval of the Public Utilities Commission. Photostatic copies of the stock certificates in the names of Myron T. Bunger (5 28/40 shares), Mills E. Bunger (1 33/40 shares) and Byron M. Bunger (2 certificates totalling 1 and 10/40 shares) and Applewood

Utilities have been filed with the staff of the Commission. He stated that there was reserved to the individual owners the rights, if any, that might exist in the stock, exclusive of the right to use water, such as investment rights, in connection with assets other than water. He testified that there was some discussion that the land, or a portion thereof, might be sold by the Ditch Company and the proceeds used to build an improved storage facilities, which, in turn, would benefit and increase the right to use water.

Mr. Bunger described his experience with offers to purchase shares of stock and the value thereof he estimated to be from \$110 to \$175 per inch with small sales perhaps having a value of \$400-500 per inch.

To support the reasonableness and validity of the use of the option price of \$22,754.66 for the shares of stock standing in his name, and approximately \$100 an inch for the stock of his brother, Mills E. Bunger, and \$125 per inch for the stock of his son, Byron M. Bunger, Myron T. Bunger made a comparison of value based on the yield under these water rights to the Utility Company at the rate of twenty-two cents (22¢) per thousand gallons to demonstrate, in his opinion, a value in excess of \$400 per inch without increase of the Aggie Ditch storage facilities, and if additional facilities were constructed, the value might increase to \$800-\$1000 per inch. The price of twenty-two cents (22¢) per thousand gallons used in the example was the price that Mr. Bunger understood that the Denver Board of Water Commissioners was charging for untreated or raw water in the area.

Mills E. Bunger was called as a witness and



testified that he was a director of the Agricultural Ditch and Reservoir Company. He stated that one share of stock of that company represented one second foot of water, and that 1/40th share represented approximately one inch of water. He stated that his investment in the water certificate represented by his contract was in excess of \$7300, or in excess of \$100 per inch.

Mr. Mills Bunger stated that there had been some change in use of the water from this Ditch as only a very small part of the water was now being used for what might be considered commercial agricultural purposes and most of the water was being used for domestic irrigation or other domestic purposes.

It was noted that there had been no judicial decree changing the agricultural use of the water from the Agricultural Ditch and Reservoir Company from irrigation to domestic use. Reference was made to a legal opinion in the Commission files of David J. Miller, a lawyer from Greeley, Colorado, relative to the legal right of the Applicant to use the water under the rights decreed to this Ditch Company. Further, it was noted that the Applicant did not have decreed storage rights for its twenty-one (21) acre feet of reservoir capacity, which was described as being used for settling purposes or temporary holding of water rather than storage purposes.

Exhibits A, B and C, being the agreements between the Applicant, Applewood Utilities, Inc., and members of the Bunger family, were introduced into evidence without objection, and the terms of these agreements of December 11, 1965, can be summarized as follows,



although reference is made to the complete exhibits for full particulars (supplemented by comments in parenthesis):

1. TITLE--Title to the certificates is to be held jointly by Applicant and individual members of the Bunger family who advanced the sums to acquire the same.
2. TERM--The agreement is to run for ninety-nine (99) years with the option of Applicant Company to terminate at twenty (20) year periods.
3. ASSESSMENTS--
  - a) The Applicant is to pay all assessments for water use (which are currently \$4.00 per inch and are paid through 1965).
  - b) Applicant may pay any assessments by the Ditch Company not for water use and charge the amount thereof back to the individual co-owners.
4. RIGHT TO USE WATER--The applicant is to have full and unrestricted right to use the water represented by said certificates.
5. PAYMENT--
  - a) Applicant is to pay the other individual owners \$7.50 per inch (representing a six percent (6%) return to Byron M. Bunger and approximately seven and one-half percent (7-1/2%) to Mills E. Bunger and Myron T. Bunger on their original capital investments based on cost).
  - b) The Applicant is to have the option to purchase the right to use the water at the cost of acquisition by the individual owners as stated in this agreement.
6. INDIVIDUAL RIGHTS--Members of the Bunger family are to have all rights, except use of water, reserved to the joint owners.
7. COMMISSION APPROVAL--Dealing with the water certificates and the right to use water shall be subject to approval by the Public Utilities Commission of the State of Colorado.
8. DEFAULT REMEDIES--The individual co-owners waive the right to foreclose the Applicant Utility Company, or to cause the Utility Company to forfeit its right to use of water.

9. EFFECTIVENESS--The agreements of December 11, 1965, supersede all prior agreements and can be amended in writing only with the approval of the Public Utilities Commission.
10. NOTICE--The addresses of the parties to the agreements are given.

### F I N D I N G S

#### THE COMMISSION FINDS:

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

That the Commission is fully advised in the premises.

That the above Statement be made a part of these Findings by reference.

That the Applicant has title and has become the beneficial owner of 7-29/40ths shares of the Agricultural Ditch and Reservoir Company representing 309 inches of water under certificates No. 4562, No. 4588 and No. 4589 of said Ditch Company.

That the Applicant is the joint owner with individual members of the Bunger family and has the sole and exclusive right to use of water represented by an additional 5-28/40ths shares (228 inches) held jointly with Myron T. Bunger; 1-10/40ths share (50 inches) held jointly with Byron M. Bunger; and 1-33/40ths share (73 inches) held jointly with Mills E. Bunger, and that the entire 351 inches is dedicated to the public use by the Applicant Company and the individual joint owner to be available to the Applicant Utility Company in the operation of its business under the terms of said agreements of December 11, 1965.

That said agreements of December 11, 1965, afford more protection to the water consumers in the area

than previously existed and to the Applicant Company to operate as a public utility to provide water service for which it has been certificated.

That the application for approval of said agreements sought herein by this application should be granted.

O R D E R


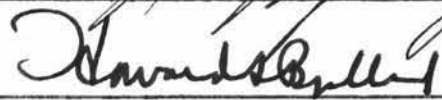
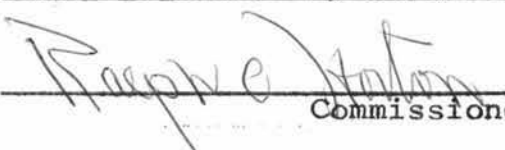
THE COMMISSION ORDERS:

That this Order shall be taken, deemed and held to be approval of said agreements of December 11, 1965, and that no action should be taken relative to said rights to use water and said certificates of stock of said Agricultural Ditch and Reservoir Company without the prior approval of the Public Utilities Commission of Colorado.

That this Commission shall retain jurisdiction over this matter, to issue such further order or orders as may be necessary, and that approval of said contracts by this Order is not intended nor shall it be construed to be a determination of any fact or expense relative to any future hearing for rate making purposes,

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 31st day of January, 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION)  
OF ARTHUR S. VAN EPS AND BERT )  
VAN EPS, DOING BUSINESS AS )  
"VANish RUBBISH REMOVAL," 2691 )  
SOUTH VINE STREET, DENVER, COLO-) APPLICATION NO. 21730-  
RADO, FOR AUTHORITY TO TRANSFER ) TRANSFER  
PUC NO. 3732 TO WILLIAM A. )  
HOBBS DOING BUSINESS AS "A & B )  
RUBBISH REMOVAL," 3229 SOUTH )  
HUMBOLDT, ENGLEWOOD, COLORADO. )  
- - - - -

- - - - -  
February 1, 1966  
- - - - -

Appearances: Arthur S. Van Eps, Denver,  
Colorado, pro se;  
Bert Van Eps, Denver, Colo-  
rado, pro se;  
William A. Hobbs, Englewood,  
Colorado, for Transferee.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Arthur S. Van Eps and Bert Van Eps,  
doing business as "'VAN'ish Rubbish Removal," Denver,  
Colorado, were granted a certificate of public convenience  
and necessity (PUC No. 3732) authorizing operation as a  
common carrier bymotor vehicle for hire, for:

Transportation of ashes, trash, and other  
waste materials between points in the City  
and County of Denver, and from points and  
places therein, 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-  
holders seek authority to transfer PUC No. 3732 to William

A. Hobbs, doing business as "A & B Rubbish Removal,"  
Englewood, Colorado.

Said application, pursuant to prior setting  
after appropriate notice to all parties in interest, was  
heard at 532 state Services Building, Denver, Colorado,  
at 9:00 A.M., January 28, 1966, and at the conclusion of  
the evidence, the matter was taken under advisement.

At the hearing, Transferors herein appeared and  
testified in support of the application, stating that the  
consideration for said transfer of certificate PUC No. 3732  
was \$8,500; that there is no outstanding indebtedness against  
said certificate.

William A. Hobbs, Transferee herein, also appeared  
at the hearing and testified in support of the application,  
stating he will have ample and suitable equipment, net  
worth of \$10,000, and sufficient operating experience with  
which to continue operations under PUC No. 3732.

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 suffic-  
ient equipment and experience to properly carry on the opera-  
tion; that Transferee's financial standing is established to  
the satisfaction of the Commission; that the proposed trans-  
fer 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 Arthur V. Van Eps and Bert Van Eps, doing  
business as "VANish Rubbish Removal," Denver, Colorado, be,


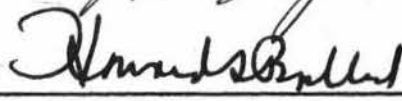
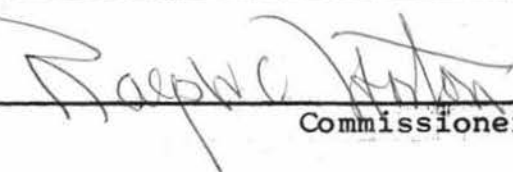
and hereby are, authorized to transfer all right, title, and interest in and to PUC No. 3732 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to William A. Hobbs, doing business as "A & B Rubbish Removal," Englewood, Colorado, subject to encumbrances, 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 said 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

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

Dated at Denver, Colorado,  
this 1st day of February, 1966.

et



(Decision No. 66729)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION)  
OF WASHINGTON LAND DEVELOPMENT & )  
INVESTMENT CORP., DOING BUSI- )  
NESS AS "AMERICAN ORGANIC CO.," )  
1750 SOUTH HOLLY STREET, DENVER, )  
COLORADO, FOR AUTHORITY TO )  
TRANSFER PUC NO. 3202 TO ARTHUR )  
S. VAN EPS AND BERT VAN EPS, )  
DOING BUSINESS AS "'VAN'ISH )  
RUBBISH REMOVAL," 2691 SOUTH )  
VINE STREET, DENVER, COLORADO. )  
- - - - -

APPLICATION NO. 21729-  
TRANSFER

- - - - -  
February 1, 1966  
- - - - -

Appearances: Arthur S. Van Eps, Denver,  
Colorado, and  
Bert Van Eps, Denver, Colo-  
rado, for Transferor and  
Transferee.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Washington Land Development & Invest-  
ment Corp., doing business as "American Organic Co.,"  
Denver, Colorado, were granted a certificate of public  
convenience and necessity (PUC No. 3202) authorizing  
operation as a common carrier by motor vehicle for hire,  
for:

Transportation of trash, refuse, and garbage  
from point to point within the City and County  
of Denver; trash, refuse, and garbage, from  
point to point within the following-described  
territory: That portion of Arapahoe County,  
Colorado, described as follows: Beginning at  
a point where South University Boulevard in-  
tersects the Douglas County Line; thence due  
north along said South University Boulevard

to the Denver County Line; thence in a general easterly and northerly direction along the Denver County Line to a point where said Denver County Line intersects East 6th Avenue (or any westerly extension thereof); thence due east along said East Sixth Avenue (or any westerly extension thereof), to Colorado State Highway No. 30; thence in a general easterly and south-erly direction along said Colorado State Highway No. 30 to a point where said Colorado State Highway No. 30 intersects Smoky Hill Road; thence south-easterly along said Smoky Hill Road to the Douglas County Line; thence due West along the said Douglas County Line to the point of beginning, excluding any portion of the City of Aurora, any portion of Hoffman Heights, any portion of the City of Englewood, and any portion of the City of Littleton that may possibly be included in the foregoing described territory, and from said City and County of Denver and the above-described territory, to regularly-designated and approved disposal places.

By the above-styled application, said certificate-holders seek authority to transfer PUC No. 3202 to Arthur S. Van Eps and Bert Van Eps, doing business as "VANish Rubbish Removal," Denver, Colorado.

Said application, pursuant to prior setting after appropriate notice to all parties in interest, was heard at 532 State Services Building, Denver, Colorado, at 9:00 A.M., January 28, 1966, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Transferees herein, appeared and testified in support of the instant application, stating that the consideration for transfer of said certificate PUC No. 3202 is \$14,000; that financial net worth of the transferees is in excess of \$14,000; they will have ample and suitable equipment and sufficient operating experience with which to continue operations under certificate PUC

No. 3202; and that there is no outstanding indebtedness against said certificate.

The Commission, having considered the record and files, 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 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 Washington Land Development & Investment Corp., doing business as "American Organic Co.," Denver, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 3202 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Arthur S. Van Eps and Bert Van Eps, doing business as "VANish Rubbish Removal," Denver, Colorado, subject to encumbrances, if any, against said certificate, approved by this Commission.


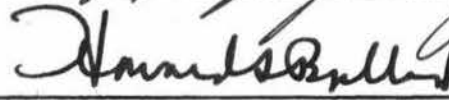

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements 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 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 1st day of February, 1966.

et

(Decision No.66730)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION)  
OF S. J. CHAMBERS, HOUSE 11, )  
CHERRY COURT, BRIGHTON, COLO- )  
RADO, FOR A CLASS "B" PERMIT TO ) APPLICATION NO. 21751-PP  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
- - - - -

- - - - -  
February 1, 1966  
- - - - -

STATEMENT AND FINDINGS

BY THE COMMISSION:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of farm produce, limited to hay, grain and natural fertilizer, between points within a radius of 50 miles of Brighton, Colorado.

Said application, pursuant to prior setting after appropriate notice to all parties in interest, was heard at 532 State Services Building, Denver, Colorado, at 9:00 A.M., January 28, 1966, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Applicant herein failed to appear, either in person or by representative. There being no protestants, the files were made a part of the record and the matter was taken under advisement.

From the files and other inquiry, it appears that Applicant has ample and suitable equipment, sufficient

net worth and operating experience with which to render his proposed service.

The Commission, having considered the record and files, 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 S. J. Chambers, Brighton, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of farm produce, limited to hay, grain and natural fertilizer, between points within a radius of 50 miles of Brighton, Colorado; and this ORDER shall be deemed to be, and be, a PERMIT therefor.


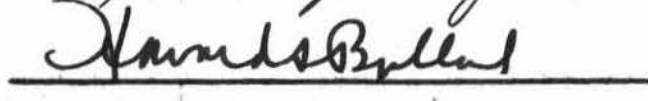

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until Applicant has filed 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 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 1st day of February, 1966.

et



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
CURTIS T. HENDRICKS )  
1125 Rio Street )  
Clovis, New Mexico )  
----- )

AUTHORITY NO. PUC 5990-I  
M 15159  
CASE NO. 3358 Ins.

-----  
February 1, 1966  
-----

S T A T E M E N T

By the Commission:

On November 30, 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. Zaehner  
Arnold J. Bjelland  
Ralph C. Norton  
Commissioners

Dated at Denver, Colorado,  
this 1st day of February, 1966

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

REDUCED AND INCREASED RATES APPLICABLE	)	
TO BURIAL CASES, CASKETS OR COFFINS;	)	
INCREASED RATES APPLICABLE TO MILK, ETC.,	)	CASE NO. 1585
REDUCED RATES ON CERTAIN FOODSTUFFS	)	

-----  
February 1, 1966  
-----

STATEMENT AND FINDINGS

BY THE COMMISSION:

On December 28, 1965, The Colorado Motor Carriers' Association, Agent, for and on behalf of carriers designated, filed various pages to its Local and Joint Freight Tariff No. 12-A, Colorado PUC No. 11\*(\*The Motor Truck Common Carriers' Association, Agent, Series), providing increased and reduced rates and provisions for the transportation of certain commodities, scheduled as set forth in Appendix "A" attached hereto, to become effective February 4, 1966.

Mr. Wally Fletchinger, Assistant General Traffic Manager, Rio Grande Motor Way, Inc., submitted letters, dated November 24th and 25th, in support of the amendments to Items 730, 930, 1220, 1386 and 1387.

Item 730 - is changed to make standard the length of twenty-four feet pertaining to lengthy articles to be transported between points in Colorado. The present lengths are three, viz.: 24', 30' and 40'. Under the proposal the minimum length will be 24', unless otherwise provided by the governing classification.

Item 930, exception (A) is being cancelled. The exception provides for a minimum charge for empty egg cases returned. Mr. Fletchinger contends that the present minimum charge is not compensatory as it does not cover the cost of pick up or delivery service. He states that movement of this type traffic is negligible.

Item 1220 cancels the current rate of 55 cents per 100 pounds on grinding balls from Pueblo to Climax, applicable via the Rio Grande Motor Way, Inc. The present rate of 52 cents having application to other participating carriers will apply over the Rio Grande Motor Way, Inc., in the future.

Item 1387 provides new and reduced rates for the transportation of burial cases, caskets or coffins, from Canon City, Colorado via Rio Grande Motor Way, Inc., and connecting carriers to various points in Colorado. In Mr. Fletchinger's letter of the 26th, it is stated that:

"The Royal Gorge Casket Co., who is a manufacturer and wholesaler of caskets, has requested these rates be added to the tariff. Since Item No. 1386 became effective, this Canon City supplier is at a disadvantage as his rates from Canon City to points in the San Luis Valley area, in the Four Corner area and in the Western Slope territory are higher than the Denver casket suppliers' are now paying. This development is allowing a competitive advantage to the Denver shippers rate-wise. He is requesting that his rates be placed on the same level as the Denver rates so that he may remain competitive and be able to maintain his sales territory."

Item 1386, Commodity rates on burial cases, etc., is being amended by the addition of reduced rates to Craig and Steamboat Springs, Colorado, at the request of Law & Sons Casket Company. Item 1385, Commodity rates on burial cases, etc., are being increased between Denver, Brighton, Ft. Lupton and Greeley. Rates to these points are predicated on rates based 125 per cent of the column 100 class rates, being the same basis as observed in constructing rates on these commodities to other Colorado destinations.

Item 1725, film, motion picture, exposed in metal cans, for the account of Denver-Limon-Burlington Transfer Company and also a joint operation with K & K Transfer Company to Springfield, Colorado, provides rates for the transportation of this commodity. The current motor freight classification provides a zero rating which indicates that the

carrier must publish ratings, rates and charges for the transportation of this commodity.

Mr. Robert C. Peterson, Secretary-Treasurer, Denver-Limon-Burlington Transfer Company states in a letter to the Commission dated January 5, 1966, that about six theatres in eastern Colorado are in need of this service and most of the shipments are comprised of 90-pound lots, although some may move at up to 200 to 250 pounds if a double feature or two presentations are shipped together. The rates appear to represent just and reasonable charges.

Mr. Edward D. Martin, President, in a letter dated December 9, 1965 and subsequent letters dated January 18th and 20th, 1966, states that the adjustments for the account of Colorado Milk Transport, Inc., in Item 3300, milk pickups for specific grades other than regular area type pickups are necessary for the following reasons:

1. In area type pickups the grade "A" milk is comingled in the same equipment with no distinction as to the farmer producer. Samples are taken at the farm for butter fat content and also the weight of the shipment, which is used to make the final settlement to the farmer.

2. Colorado Milk Transport has now been advised that it may be called upon to pick up certain grades of milk bearing specialized names, designated as "Golden Guernsey" or "Jersey", at widely scattered shipping points. This milk, at the request of the dairy is not to be mixed with other grade "A" milk as it is treated as a premium product. Because of the locations of producers of this kind of milk, the distance traveled by the carrier to effectuate pickups is greatly increased over the regular area type pickup. The charges will be determined by the difference between the regular area charges (rate in cents per 100 pounds) and what will be produced under the provisions as set forth in Note 4 of Item 3300. This surplus amount will be charged to the dairy requesting this special service and the regular area charge will be assessed to the

farmer producer.

Since the proposals, as set forth in Appendix "A" attached hereto and made a part hereof the same as if incorporated herein, appear to represent just, fair and reasonable rates and charges, an order should be entered prescribing said proposals. 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, as shown in Appendix "A".

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 set forth in Appendix "A", attached hereto, 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 February 4, 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, 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 February 4, 1966, 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.

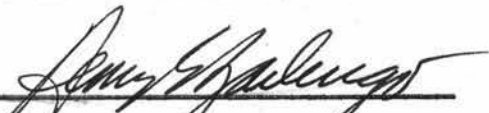


7. This order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such private carriers by motor to the laws and liabilities applicable to a motor vehicle common carrier.

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

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

Dated at Denver, Colorado this  
1st day of February, 1966



APPENDIX "A"

Changes Effective February 4, 1966

Colorado Motor Carriers' Association, Agent  
Local and Joint Freight Tariff No. 12-A  
Colorado PUC No. 11\* (\*The Motor  
Truck Common Carriers' Association, Agent, Series)

RULES AND REGULATIONS	
Item	
No.	APPLICATION

6th Revised Page No. 83

ARTICLES SEVEN FEET IN HEIGHT OR LENGTHY ARTICLES:

\*Section No. 1:

730      (A) (C) Freight charges on articles seven feet or more in height or twenty-four feet or more in length will take the Class 100 rate if that rate is higher than the applicable rate under the rating provided in the classification; otherwise, at the rating provided in the classification and rate provided herein.

\*Section No. 2: (E)(A)

\*Section No. 3: (E)(A)

EXCEPTION: The provisions of this item will not apply on single shipments on which charges are based on weights of 10,000 pounds or more.

\*Section No. 1: - (Will not apply locally between points on the lines of Frederic A. Bethke, d/b/a Bethke Truck Lines; Larson Transportation Company; Red Ball Motor Freight, Inc.; Ringsby Truck Lines, Inc., or Rio Grande Motor Way, Inc.)

Freight charges on articles seven feet or more in height or twenty-four feet or more in length will take the class 100 rate if that rate is higher than the applicable rate under the rating provided in the classification; otherwise, at the rating provided in the classification and rate provided herein.

\*Section No. 2: - (Applies only locally between points on the line of Ringsby Truck Lines, Inc.)

Freight charges on articles seven feet or more in height or thirty feet or more in length will take the class 100 rate if that rate is higher than the applicable rate under the rating provided in the classification; otherwise, at the rating provided in the classification and rate provided herein.

\*Section No. 3: - (Applies only locally between points on the lines of Frederic A. Bethke, d/b/a Bethke Truck Lines; Larson Transportation Company; Red Ball Motor Freight, Inc., or Rio Grande Motor Way, Inc.) Freight charges on articles seven feet or more in height or exceeding forty feet in length will take the class 100 rate if that rate is higher than the applicable rate under the rating provided in the classification; otherwise, at the rating provided in the classification and rate provided herein.



20th Revised Page No. 92MINIMUM CHARGE: (continued)Exceptions:\* (A) EA

930 On shipments of eggs, in cases, the minimum charge will be based on 100 pounds at the class or commodity rate applicable, subject to a minimum charge of \$2.00 per shipment. (Will not apply on shipments originating at or destined to Denver or Pueblo, Colorado.)

\*(A) On movements of empty egg cases, returned, subject to Item No. 760, the minimum charge shall be for 100 pounds at one-half of the applicable class 55 rate.

SECTION NO. 2Commodity Rates

(For application, see Page No. 190 of Tariff)

Rates are in cents per 100 pounds (unless otherwise stated)

ITEM	Commodity	From	To	Rates	Route No.
NO.	Commodities in the same item may be shipped in straight or mixed truck loads.	(Except as noted in individual items)			

14th Revised Page No. 191-C

1220	Balls, grinding, minimum weight 30,000 pounds. (Not subject to Item No. 960.)	Pueblo, Colo.	Climax, Colo.	*CⓇ 52	87 97 98
------	---	---------------	---------------	-----------	----------------

\*55 Route No. 87

8th Revised Page No. 195-A

		<u>BETWEEN</u>	<u>AND</u>		
1385	Burial Cases, caskets, Coffins, Vaults, or accessories, subject to packing specifications of current N.M.F.C., viz.: Burial Cases (caskets or coffins) or casket shells, N.O.I., S.U.: Grave vaults, metal, N.O.I.	Denver, Colo.	Brighton, Colo.	*A 164	7
			Colo. Springs,	134	47
			Ft. Lupton,	*A 175	7
			Greeley,	*A 200	7
			La Junta,	195	47
			Lamar,	218	47
			Las Animas,	202	47
			Pueblo,	166	47
			Rocky Ford,	192	47
			Trinidad,	212	47
			Walsenburg,	190	47
		Pueblo, Colo.	Brighton, Colo.	174	26
			Colo. Springs,	105	47
			Ft. Lupton,	179	26
			Greeley,	190	26
			La Junta,	125	47
			Lamar,	166	47
			Las Animas,	137	47
			Rocky Ford,	116	47
			Trinidad,	148	47
			Walsenburg	116	47

\* Brighton 83; Ft. Lupton 92; Greeley 116

8th Revised Page No. 195-A (cont'd)

		<u>BETWEEN</u>	<u>AND</u>	<u>Rates</u>	<u>Route No.</u>
1385	Burial Cases (Caskets or coffins), subject to packing specifications of current N.M.F.C.	Denver, Colo.	Brush, Colo. Ft. Morgan, Haxtun, Holyoke, Julesburg, Sterling	140 132 175 186 190 162	32 32 4 4 32 32

## SECTION NO. 2

## Commodity Rates

(For application, see Page No. 190 of tariff)

Rates are in cents per 100 pounds (unless otherwise stated)

Item No.	Commodity	From	To	Rates	Route No.
	Commodities in the same item may be shipped in straight or mixed truck loads.		(Except as noted in individual items)		

3rd Revised Page No. 195-B

	Burial Cases (Caskets or Coffins) or Casket Shells, NOI, set-up	Denver, Colo.	See below.	See Below	See Below
	To	Route	To	Route	
	Colorado	Rate No.	Colorado	Rate No.	
	Alamosa	389 87	Idaho Spgs.	225 30	
	Aspen	403 87	Leadville	323 87	
	Boulder	178 49	Longmont	179 28	
	Buena Vista	331 87	Loveland	200 12	
1386	Canon City	254 87	Manassa	408 87	
	Cortez	528 87	Meeker	423 100	
	/ (R) Craig	403 25	Monte Vista	405 87	
	Del Norte	405 87	Montrose	449 87	
	Delta	461 87	Ouray	478 87	
	Durango	491 87	Pagosa Spgs.	452 87	
	Eagle	341 87	Paonia	480 87	
	Fairplay	288 21	Rifle	386 87	
	Florence	248 87	Salida	345 87	
	Ft. Collins	211 158	Silverton	490 87	
	Fruita	449 87	/ (R) Steamboat		
	Glenwood Spgs.	369 87	Springs	373 25	
	Grand Jct.	438 87			
	Gunnison	398 87			
	Hotchkiss	478 87			

Original Page No. 195-C

	Burial Cases (Caskets or Coffins), NOI, set-up	Canon City, Colo.	See below,	See below	
	To	Route	To	Route	
	Colorado	Rate No.	Colorado	Rate No.	
	Alamosa	341 87	Cortez	480 87	
	Aspen	438 87	Craig	480 39	
	Boulder	265 179	Del Norte	241 87	
/	Buena Vista	291 87	Delta	401 87	
1387	Colorado Spgs.	191 87	Denver	254 87	

(R)

Original Page 195-C (cont'd)

Canon City, Colo.			See below	See below
To	Route	To		
Colorado	No.	Colorado	Rate	Route
Durango	438 87	Longmont	274	186
Eagle	374 87	Loveland	288	118
Fairplay	365 180	Manassa	370	87
Ft. Collins	291 181	Meeker	452	100
Ft. Morgan	304 182	Monte Vista	341	87
1387 Fruita	313 87	Montrose	385	87
(R) Glenwood Spgs.	401 87	Ouray	419	87
Grand Jct.	438 87	Pagosa Spgs.	391	87
Greeley	288 57	Palisade	452	87
Gunnison	338 87	Paonia	424	87
Haxtun	350 183	Pueblo	188	87
Holyoke	360 183	Rifle	424	87
Hotchkiss	419 87	Rocky Ford	235	79
Idaho Spgs.	320 184	Salida	261	87
Lamar	279 79	Silverton	438	87
Las Animas	261 185	Steamboat Spgs.	441	39
Leadville	326 87	Sterling	328	182
		Walsenburg	233	87

SECTION NO. 2

Commodity Rates

(For application, see Page 190 of Tariff)

Rates are in cents per 100 pounds (unless otherwise stated)

Item	Commodity	From	To	Rates	Route
No.	Commodities in the same item may be shipped in straight or mixed truck loads.	(Except as noted in individual items)			No.

Original Page No. 205-A

		Colorado	①	②	
1725	Film, motion picture, exposed, in metal cans,	Burlington	232	454	11
	① Rates apply on shipments released to a valuation not exceeding \$1.00 per pound.	Cheyenne			
		Denver, Colo. Wells	235	460	11
	② Rates apply on shipments released to a valuation exceeding \$1.00 per pound, but not exceeding \$7.50 per pound.	Eads	232	454	11
		Hugo	200	390	11
		Limon	188	366	11
		Springfield	273	536	70; 81
(R)	If declared or released value exceeds that shown above, or if shipper refuses to declare or release value, the shipment will not be taken.	Stratton	221	432	11

The value declared in writing by the shipper or agreed upon in writing as the released value of the property, as the case may be, must be entered on the shipping order and bill of lading as follows:

"The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding \$\_\_\_\_\_ per pound for each article."

11th Revised Page No. 207-B

		<u>Rates</u>		<u>Route</u>
		①	②	<u>No.</u>
<u>BETWEEN</u>	<u>AND</u>			
Foodstuffs and Related Articles, viz.:	Canon City	60	48	87
Baking Powder	Colo. Spgs.	53	43	47;86
Beverage Preparations, NOI, Dry	Durango	112	92	87
Bluing, Laundry	Ft. Carson	54	44	47;86
Cereal Food Preparations:	Grand Jct.	103	86	87
Cooked:	Greeley	47	39	7
Bran (Note A)	Denver, Colo. Peterson Fld.	54	44	47;86
Confection Coated (Note A)	Pueblo	68	56	47;86
Flaked or Shredded (Note A)	Trinidad	84	69	47;86
Puffed, NOI (Note A)	U.S. Air Force, Academy	50	41	47;86
Rice, Rolled (Note A)	Milk Food, other than liquid			
Cooked:	Milk, Powdered			
Granulated	/ (R) Milk substitutes, Dry			
Chocolate Candy	/ (R) Mixes, Basic Food Sauce, Dry			
Chocolate, not confectionery	Pectin			
Cocoa	Pot Scourers, NOI, Scouring Cloths or scouring Pads, with or without soap (Note B)			
Cocoa Compounds	Potatoes, cooked			
1807 / (R) Cocoa Paste	/ (R) Rice, clean, whole or broken			
Cocoanut, prepared	Rice, combined with vegetables and seasoning			
(con- Coffee Extract (instant)	Salad Dressing Preparations, Dry			
clu- Coffee, Roasted	Soup ingredients			
ded Coffee Substitutes	Soups, including Broths or Chowders			
on Confectionery, NOI	Starch, liquid			
page Dessert Preparations	Syrup, not medicated, NOI			
207-C) Feed, animal, carnivorous (canned)	Flour, edible			
Feed, animal, prepared	Flour, grain			
Feed, Animal (Dog Biscuits)	Table Sauces, NOI; Catsup; Prepared			
/ (R) Fruit Tarts, Baked	Horseradish; Mayonnaise; prepared			
Gelatin, NOI	mustard; pepper sauce; salad dressing, or basic food sauces such as marinara			
Gravy	sauce, pizza sauce, spaghetti sauce or spanish sauce			
Macaroni, Noodles, Spaghetti, or vermicelli, cooked, with or without cheese, meat, vegetables, or other ingredients	Tapioca			
Meats, cooked, cured or preserved, with or without vegetable, milk, egg or fruit ingredients, NOI, in glass or metal cans in Barrels or Boxes or in metal cans in crates	Tea			
Milk or buttermilk, condensed or evaporated, liquid or paste, with or without vegetable fats, in barrels or boxes	Vegetables, canned or preserved, including canned corn; hominy; mush; oats; pimiento juice; pimientos; pork and beans; Rice; Scrapple; Tomato Juice, Paste, Pulp or Puree; Tomatoes; vegetable juices, NOI, or wheat			
	/ (R) Wax, Laundry Compound			

SECTION NO. 3  
Cream and Milk

---

Rates are in cents per 100 pounds (unless otherwise stated)  
(Applies only in Colorado intrastate traffic)

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8th Revised Page No. 266

Milk, in Bulk in Tank Trucks		To Golden, Denver and a radius of 5 miles of the City Limits of Denver.		See below
FROM NORTHERN COLORADO ORIGINS		Less than 850 pounds (See Note 1)	850 pounds or more, but less than 2,000 pounds (See Note 1)	2,000 pounds or more, but less than 3,500 pounds (See Note 1)
Distance - Miles				
15 miles and under		31	24	21
25 miles and over 15 miles		33	27	24
35 miles and over 25 miles		40	33	30
45 miles and over 35 miles		41	35	32
55 miles and over 45 miles		45	38	35
65 miles and over 55 miles		48	41	38
75 miles and over 65 miles		51	44	41
FROM NORTHERN COLORADO ORIGINS		3,500 pounds or more, but less than 5,000 pounds (See Note 1)	5,000 pounds or more, but less than 8,000 pounds (See Note 1)	8,000 pounds or more (See Note 1)
Distance - Miles				
15 miles and under		19	16	13
25 miles and over 15 miles		22	19	16
35 miles and over 25 miles		25	22	19
45 miles and over 35 miles		28	25	22
55 miles and over 45 miles		31	28	25
65 miles and over 55 miles		34	31	28
75 miles and over 65 miles		37	34	31

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266-A)

NOTE 1: Rates are in cents per 100 pounds of milk and apply on the average pick-up during any semi-monthly period.

## / (A) APPLICATION OF RATES:

The application of the above rates is subject to the shipment being capable of area type pick-up and transportation with shipments picked up and transported indiscriminately mixed with ordinary pure, clean, undesignated Grade "A" milk belonging to other shipper, contained within carrier's equipment or to be picked up and contained in carrier's equipment, on carrier's regular schedule and route through area in which shipper has its place of business. For application of rates on shipments which cannot be so picked up and transported, see Notes 2, 3 and 4.

NOTE 2: The above rates will not apply when, due to nature of shipper, consignor, producer, their location or nature of shipment, the milk in such shipment may not be collected by carrier indiscriminately in its regular equipment operating past origin point of shipment, and such milk in shipment may not be mixed with other ordinary pure, clean, undesignated Grade "A" milk contained in or to be contained in carrier's equipment regularly operating on such route.



SECTION NO. 3

Cream and Milk

Rates are in cents per 100 pounds (unless otherwise stated)

(Applies only on Colorado Intrastate Traffic)

1st Revised Page No. 266-A

Item NOTE 3: The above rates will not apply when carrier is required to  
No. transport shipments of milk which must be segregated by grade or by  
particular name, such as "Jersey Milk", "Holstein Milk", and so  
forth, which said milk may not be mixed with ordinary pure, clean  
undesignated Grade "A" milk.

NOTE 4: When carrier is required to transport shipments of milk  
segregated by grade or by a particular name, such as "Jersey Milk",  
"Holstein Milk", and so forth, which milk may not be mixed in  
carrier's equipment with other ordinary pure, clean, Grade "A" milk,  
or when carrier is required to pick up or deliver shipments which  
by nature of consignor, shipper, consignee, their location or the  
nature of their shipment, make it impossible to mix such shipment  
with other pure, clean, undesignated Grade "A" milk in carrier's  
equipment normally operating on route by point of origin, carrier  
will provide service but shipper or consignee will be charged for  
such service at a rate of seventy cents (\$.70) per round-trip mile  
traveled from origin of equipment until its return to the same point,  
subject to a minimum charge of twenty dollars (\$20.00) per trip.

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When more than one producer's milk is included in a trip subject to  
the provisions of this note, the total charge will be prorated among  
such producers on a mileage basis, using the distance between such  
producer's location and final destination as the basis for such pro-  
ration of charges.

Mileage on which to compute the charges as provided in this note  
will be taken from the odometer on carrier's equipment and will be  
based on the miles over the route of movement. Carrier will endeavor  
to operate its equipment over the shortest feasible and practicable  
route under the provisions of this note, but carrier reserves the  
right to operate its equipment over any route which in carrier's  
opinion is the most efficient, feasible and economical.

(Colorado Milk Transport, Inc.)

- 
- (A) - denotes increase  
(R) - denotes reduction  
(E) - denotes elimination  
(C) - denotes a change resulting from neither an increase nor a  
reduction.  
/ - denotes addition

Route No. 4 - North Eastern Motor Freight, Inc., Sterling, Colorado  
Brooks Transportation Company

Route No. 7 - Bethke Truck Lines - direct

Route No. 11 - Denver-Limon-Burlington Transfer Company - direct

Route No. 12 - Denver-Loveland Transportation, Inc.

Route No. 21 - South Park Motor Lines - direct

" 25 - Larson Transportation Company - direct

" 26 - Red Ball Motor Freight, Inc., Denver, Colorado  
Bethke Truck Lines

" 28 - Edson Express - direct

" 30 - Denver-Climax Truck Lines, Inc., - direct

" 32 - North Eastern Motor Freight, Inc., - direct

" 39 - Rio Grande Motor Way, Inc., Denver, Colorado  
Larson Transportation Company

" 47 - Red Ball Motor Freight, Inc., - direct

" 49 - Boulder-Denver Truck Line - direct

" 70 - Denver-Limon-Burlington Transfer Company, Lamar, Colorado  
K & K Transfer Company

" 79 - Red Ball Motor Freight, Inc., Pueblo, Colorado  
Rio Grande Motor Way, Inc.

" 81 - Red Ball Motor Freight, Inc., Lamar or Walsh,  
Colorado, K & K Transfer Company

" 87 - Rio Grande Motor Way, Inc., - direct

" 97 - Southwestern Transportation Company - direct

" 98 - Eveready Freight Service, Inc., - direct

" 100 - Rio Grande Motor Way, Inc., Rifle, Colorado,  
Harp Transportation Line

" 158 - Denver-Laramie-Walden Truck Line, Inc., direct

" 179 - Rio Grande Motor Way, Inc., Denver, Colorado

" 180 - Rio Grande Motor Way, Inc., Denver, Colorado  
South Park Motor Lines

" 181 - Rio Grande Motor Way, Inc., Denver, Colorado  
Denver-Laramie-Walden Truck Line, Inc.

" 182 - Rio Grande Motor Way, Inc., Denver, Colorado  
North Eastern Motor Freight, Inc.

" 183 - Rio Grande Motor Way, Inc., Denver, Colorado  
North Eastern Motor Freight, Inc., Sterling,  
Colorado, Brooks Transportation Company

" 184 - Rio Grande Motor Way, Inc., Denver, Colorado  
Denver-Climax Truck Line, Inc.

" 185 - Rio Grande Motor Way, Inc., Pueblo, Colorado  
Las Animas Transfer & Storage

" 186 - Rio Grande Motor Way, Inc., Denver, Colorado  
Edson Express



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION )  
OF THE DEPARTMENT OF HIGHWAYS OF )  
THE STATE OF COLORADO FOR AUTHOR- )  
ITY TO INSTALL AS A JOINT VENTURE )  
WITH THE GREAT WESTERN RAILWAY COM- )  
PANY AND THE GREAT WESTERN SUGAR )  
COMPANY, TRAFFIC CONTROL DEVICES )  
AT TWO (2) LOCATIONS ON STATE )  
HIGHWAY NO. 60 IN AND NEAR JOHNS- )  
TOWN, WELD COUNTY, STATE OF )  
COLORADO. )

APPLICATION NO. 21712

February 2, 1966

Appearances: Joseph M. Montano, Asst.  
Attorney General, for Colo-  
rado Department of Highways;  
E. R. Niehaus, Director of  
Public Relations, for Great  
Western Railway and Great  
Western Sugar Companies;  
J. L. McNeill, Denver, Colorado,  
of the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

The above-entitled application was filed with the Commission on December 21, 1965; thereafter, it was set to be heard before the Commission on January 28, 1966, at the Commission Hearing Room, 532 State Services Building, Denver, Colorado.

Following usual notice to all interested parties, to the Colorado Department of Highways, to the Board of Weld County Commissioners and to the Mayor, Town of Johnstown, the matter was heard as scheduled and then taken under advisement by the Commission.

Purpose of the application is to secure Commission approval for proposed improvement of Colorado Highway

No. 60 grade crossing protection by installation of automatic traffic-type control signals as an addition to existing crossbuck protection signing at two separate railroad grade crossings near Johnstown, Colorado.

At the hearing, the following exhibits were offered and received:

- Exhibit A - Drawing No. 12951, Great Western Sugar Company, Engineering Dept., showing main-line crossing location, Mile Post 17.966; proposed overhead signal protection; wiring diagram and general location of Highway No. 60 near Johnstown, Colorado.
- Exhibit B - Colorado Department of Highways, Planning and Research Division drawing, September 30, 1965; showing location of mast arms with sketches of traffic signal faces and railroad guidance signals.
- Exhibit C - Drawing No. 12953, Great Western Sugar Company; showing traffic controls, wiring diagram and layout of flashing Yellow and Red light signals at Factory entrance crossing over Highway No. 60.
- Exhibit D - Colorado Department of Highways. Standard plan for Flashing Yellow beacon to be used as special installation with reflectorized railroad Advance Warning sign.
- Exhibit E - Copy of fully executed Agreement dated December 15, 1965, between Department of Highways and Great Western Sugar Company relating to automatic protection devices for Factory Entrance grade crossing.
- Exhibit F - Copy of fully executed Agreement dated September 22, 1965, between Department of Highways and Great Western Railway Company for overhead traffic-type signals and automatic controls at main-line crossing, Mile Post 17.966.

At the hearing, explanatory testimony relating to proposed work was given by Mr. E. L. King, Supervising Engineer in Staff Design Division of the Department of Highways.

With reference to the instant application and testimony offered at the hearing, it appears that traffic conditions, limited visibility, and switching operations indicate a necessary upgrading of the public crossing protection now provided by standard Advance Warning signs and Crossbucks. Present traffic on Colorado Highway No. 60 is 1,575 vehicles as an annual daily average. Highway speeds are variable through the switching area at 30 to 45 miles per hour.

Two crossing locations are involved where separate types of protection are proposed to meet the respective railroad traffic patterns as follows:

1. Mile Post 17.966 - Main Line and an Industry track crossing. Slow speeds to 15 miles per hour; used about three times daily.

Protection proposal: Overhead traffic type signals by Department of Highways with track actuation controls by Great Western Railway. (Exhibits A and B).

The double overhead signals will function as a standard street or highway control device with a continuous "Green" indication for highway traffic. On approach of a train, the railroad wiring circuits actuate the traffic signal controls; the Green light indication is replaced by a separate Amber or caution signal and a Red or "STOP" indication will then appear until train movement over the crossing is completed and the Green traffic indication will be automatically restored. (Time of warning intervals now acceptable are 3 seconds of Amber (caution) and 20 seconds of Red (stop), before movement over crossing of the most rapid train.

Guidance for the train crews is also provided by a double set of Red and Green signal lights placed back-to-back on a supporting post at east side of the main-line track. In accordance with railroad operating practice, train movement will only be made on the Green track signal, which is coordinated with the Red light or "STOP" control for vehicular moves. In the event of power failure or other signal malfunction, standard operating rules will apply wherein no train movement may be made unless under flagging control or personal direction of a crew member.

2. Factory Entrance - Two switching leads from Milliken line into Johnstown factory area of Great Western Sugar Plant. Used for plant entrance and movement of beet cars.

Protection proposal:

- (a) Double flashing red lights (12" diameter) facing oncoming traffic to be mounted on the crossbuck sign post at each side of the crossing trackage by Great Western Sugar Company.
- (b) Standard flashing amber caution lights to be mounted with reflectorized Advance Warning signs and located 350 feet from crossing on each side of highway facing oncoming traffic by Department of Highways. (Exhibits C and D).

Both sets of the flashing light signals will be actuated by rail line controls and operate only when a train is approaching or occupying the crossing tracks. Controls for both installations are by Great Western Sugar Company.

Movement of beet cars is by the Sugar Company

industrial switch engine, requiring as many as 30 to 50 movements per day into the highway area during beet campaign periods. These movements involve slow train speeds with frequent stops and changes of direction. In this installation there is no system of guidance controls for the Switch engine crewmen; however, in any failure or malfunction of the protection devices, standard railroad operating procedures of flagging or crew member guidance must be observed for protection of employees and the public.

Mr. King emphasized that proposed protective devices differed from customary railroad installation of flasher light signal units. He noted, however, that train operations consist of freight movements at slow speeds and no passenger trains are operated as a regular service. He described the instant proposal as a "joint venture" of the Department of Highways with the respective Great Western Railway and Great Western Sugar Companies.

As noted in the instant exhibits, agreements have been negotiated pertaining to installation, operation, maintenance and costs. A summary of costs as designated for joint participation follows:

1. Mile Post 17.966 - Main line crossing and Industry track.

<u>Item</u>	<u>Hwy. Dept.</u>	<u>Railway</u>	<u>Total</u>
Traffic signals:	\$3,000		\$3,000
Track approach Controls		\$1,400	1,400
	<u>3,000</u>	<u>1,400</u>	<u>4,400</u>

2. Factory Crossing:
 

	<u>Hwy. Dept.</u>	<u>Sugar Co.</u>	<u>Total</u>
2 - Flashing amber signals	700		700
2 - Flashing Red signals on Crossbucks, complete with controls for Amber and Red Flashers	1,400	3,163	4,563
Total	<u>2,100</u>	<u>3,163</u>	<u>5,263</u>

Combined totals:	
Highway Department	\$5,100
Railway	1,400
Sugar Company	3,163
Total	<u>\$9,663</u>

It is to be noted the total cost involved is \$9,663 for two separate crossing locations. This is to be compared with average of \$10,000 per crossing for standard railroad type flasher signals. Mr. King also explained that proposed use of Traffic type control signals is a further extension of a similar type installation now on trial within Denver City limits involving slow speed rail switching movements; also, that the added Red and Amber flashing units are common highway signal devices, familiar to motorists and requiring only the customary observance of stopping or caution; any compliance failures are apparent at once and enforcement procedures are both strengthened and simplified.

As previously noted, the instant proposal is in the nature of a cooperative enterprise involving the State Highway Department, the Great Western Sugar Company and the Great Western Railway Company. It appears the intent is to promote public safety; to meet the demands of



increasing vehicular traffic; and to assist the motorist toward greater driving control through compliance with indications of familiar signal devices.

### 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 that existing crossbuck protection devices be further supplemented through approval and installation of additional traffic-type control signals with automatic railroad actuation at the grade crossings of Colorado Highway No. 60 over rail trackage of the Great Western Railway Company east of Johnstown, Colorado.

That the authority sought in the instant application should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That Applicant, Department of Highways, State of Colorado, be, and it hereby is, granted a certificate of public convenience and necessity to authorize and approve the installation, operation and maintenance of traffic-type control signals with automatic railroad actuation at the following highway grade crossings of State Highway No. 60 over Great Western Railway trackage as follows:

1. Mile Post 17.966 - Main line crossing and Industry track. Place overhead traffic-type control signals complete; having automatic track actuation controls for Red light "Stop" warning of 20 seconds, and railroad guidance signals by Great Western Railway Company.



2. Factory Entrance - Two switching tracks from Great Western Railway (Milliken Line) into Johnstown Factory area of Great Western Sugar Company.

Place combination Advance Warning signs with flashing amber warning signals and track circuit; flashing red signals mounted on Standard Railroad crossbucks and all necessary control equipment to warn and stop highway traffic when a train occupies the crossing.

That the work to be done, installation and maintenance of the protection devices, shall be as indicated in the preceding Statement. Said Statement, Agreements and Exhibits A, B, C, D, E, and F, are, by reference, made a part hereof.

That in any failure or malfunction of proposed new signals or warning devices; manual flagging or warning by a Railway crew member shall be provided for protection of employees and the highway users.

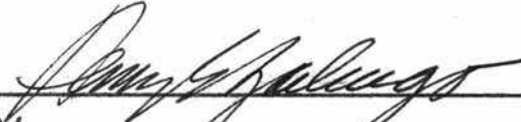
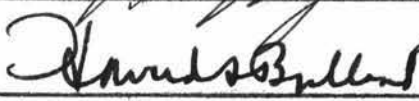
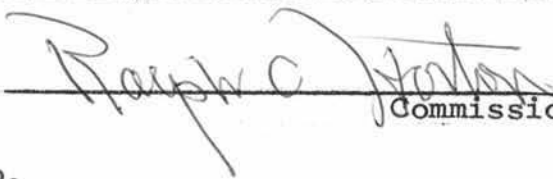
That the Standard Advance Warning, Crossbuck signing and installation, shall all be in conformance with the current Bulletin of the Association of American Railroads' Joint Committee on Railroad Protection.

That usual Highway Department speed zone designations be reviewed and brought into conformity with proposed new signal devices.

That the Commission hereby retains jurisdiction to make such further Order, or Orders, as may be required in the instant matter.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,  
this 2nd day of February, 1966.

ls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION )  
OF L. H. LANSING, EDWARD L. )  
DANDURAND AND M. K. KEHOE ON BE- )  
HALF OF THEMSELVES AND OTHERS )  
SIMILARLY SITUATED FOR AN ORDER )  
AUTHORIZING PUBLIC SERVICE ) APPLICATION NO.21719  
COMPANY OF COLORADO TO RENDER )  
STREET LIGHTING SERVICE IN AN UN-)  
INCORPORATED AREA IN JEFFERSON )  
COUNTY. )  
- - - - -

February 2, 1966

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

S T A T E M E N T

BY THE COMMISSION:

This is an application by Mr. L. H. Lansing 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 January 28, 1966, at 10:00 o'clock A.M., in the Hearing Room of the Commission, 506 State Services Building, Denver, Colorado, and was heard at said time and place. The application was amended at the hearing to correct the tariff sheet references made therein.

No petitions of intervention were filed prior to the hearing and no one appeared at the hearing in opposition to the application.

A petition for street lighting service addressed to Public Service was circulated among the residents of an area in which 119 customers now receive electric service. Of the 119 customers, signatures were obtained of 87, or a percentage of 73.1% of the total number of customers. Said petitions were submitted as Exhibit Nos. B-1 through B-9 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 32 customers did not sign, Public Service could not install street lights without an order of the Commission.

Principal spokesman for Applicants was L. H. Lansing. Mr. Lansing 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 six other persons who are residents of the area.

Mr. H. M. Edmonds, Rate Engineer for 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 \$0.55 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. 2 - Electric, Fifth Revised Sheet No. 76, Third Revised Sheet No. 76A and Third Revised Sheet No. 76B.

The proposed street lighting system was estimated to cost \$2450 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. 2 - Electric, Fifth Revised Sheet No. 76, Third Revised Sheet No. 76A and Third Revised Sheet No. 76B now existing or as it may be changed under the rules of this Commission, or according to law.

That street lights, approximately 17 in number, shall be installed as required in the area described as follows:

An area comprised of Starbuck Hts. Subd., Starbuck Ranch Hts. Subd., Idledale Hts. Subd. and adjacent tracts all located in Sections 29 and 32, T4S, R70W, more particularly described by a line beginning at the southern corner of Starbuck Ranch Hts. Subd.; thence northwesterly along the southwesterly boundary line of said Subd. and the extension thereof to a point of intersection with the center line of Colorado Highway No. 74; thence northeasterly along said Highway center line to a point of intersection with the boundary line of Starbuck Hts. Subd.; thence following said boundary line in a clockwise direction around said Subd. to a point of intersection with the center line of Colorado Highway No. 74; thence southeasterly along said center line to a point of intersection with the westerly boundary line extended of the tract occupied by the Idledale School; thence northerly along said line and continuing in a clockwise direction around the tract occupied by the Idledale School and along the southeasterly boundary line thereof extended to a point of intersection with the center line of Colorado Highway No. 74; thence southeasterly along said center line to a point of intersection with the southeasterly boundary line extended of Idledale Hts. Subd.; thence southwesterly along said line and continuing in a clockwise direction around the boundary line of Idledale Hts. Subd. and continuing along the northwest boundary line of said Subd. extended to a point of intersection with the center line of the natural channel of Bear Creek; thence northwesterly and westerly along said center line to a point of intersection with the boundary of Starbuck Ranch Hts. Subd.; thence southwesterly along said Subd. boundary, being common to Bear Creek, 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

Henry E. Paulings

Donald B. Butler

Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,  
this 2nd day of February, 1966.

et



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF MRS. FRANK KELLER, MRS. QUINCY HORNBAKER AND MR. C. A. KNEALE ON BEHALF OF THEMSELVES AND OTHERS SIMILARLY SITUATED FOR AN ORDER AUTHORIZING PUBLIC SERVICE COMPANY OF COLORADO TO RENDER STREET LIGHTING SERVICE IN AN UNINCORPORATED AREA IN BOULDER COUNTY

APPLICATION NO. 21731

February 2, 1966

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

S T A T E M E N T

BY THE COMMISSION:

This is an application by Mrs. Frank Keller 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 Boulder County, as shown on the map identified as Exhibit A, which was amended at the hearing to accord with the area hereinafter more fully described.

The matter was set for hearing, after due notice to interested parties, on January 28, 1966, at 10:00 o'clock A.M., in the Hearing Room of the Commission, 516 State Services Building, Denver, Colorado, and was heard at said time and place.

No petitions of intervention were filed prior to the hearing and no one appeared at the hearing in opposition to the application.

Exhibit A attached to the application is a plat of the area for which street lighting is desired. The external boundary as shown thereon is too extensive and includes a quarter section of land on which there is only one resident. Permission was sought and granted to amend Exhibit A to the Application to exclude this quarter section. Exhibit A offered in evidence correctly portrays the amended area.

A petition for street lighting service addressed to Public Service was circulated among the residents of an area in which 84 customers now receive electric service. Of the 84 customers, signatures were obtained of 81, or a percentage of 95.3% of the total number of customers. Said petitions were submitted as Exhibit No. B. 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 4 customers did not sign, Public Service could not install street lights without an order of the Commission.

Principal spokesman for Applicants was Mr. C. A. Kneale. Mr. Kneale 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 Mr. Frank Keller, Mrs. Virginia Keller and Mrs. Frances Hornbaker who are residents of the area.

Mr. H. M. Edmonds, Rate Engineer for 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 \$0.55 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 PUC No. 4 - Electric, Thirteenth Revised Sheet No. 282, First Revised Sheet No. 282A and Original Sheet No. 282B.

The proposed street lighting system was estimated to cost \$1,863.00 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:


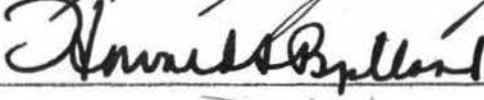
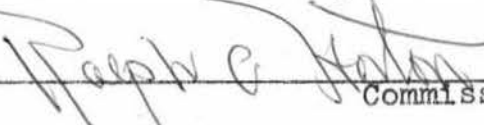
That Public Service Company of Colorado is hereby authorized and directed to install, operate and maintain a non-ornamental, mercury vapor street light system in accordance with the provisions of its Tariff, Colorado PUC No. 4 Electric, Thirteenth Revised Sheet No. 282, First Revised Sheet No. 282A and Original Sheet No. 282B, now existing or as it may be changed under the rules of this Commission, or according to law.

That street lights, approximately 13 in number, shall be installed as required in the area described as follows:

Beginning at the southwest corner of Section 30, T2N, R69W of the 6th P.M.; thence north to the W 1/4 corner SW 1/4 SW 1/4 of said Section 30; thence east to the E 1/4 corner SW 1/4 SW 1/4 of said Section 30; thence north to the N 1/4 corner SW 1/4 of said Section 30; thence west to a point of intersection with the center line of the C & S Railroad; thence southwesterly along said center line to a point of intersection with the south line of the N 1/2 N 1/2 N 1/2 of Section 36, T2N, R70W; thence east along said line to the E 1/4 corner NE 1/4 NE 1/4 of said Section 36; thence north to the NE corner of said Section 36 which is 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

Dated at Denver, Colorado, this  
2nd day of February, 1966.

(Decision No. 66736)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )	
JAMES A. SINNARD, DOING BUSINESS )	
AS "SINNARD TRUCKING," ROUTE 1, )	
WELLINGTON, COLORADO. )	
-----	<u>PUC NO. 793, AND</u>
	<u>PUC NO. 793-I</u>

-----  
February 2, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

James A. Sinnard, doing business as "Sinnard Trucking," Wellington, Colorado, owner of PUC No. 793 and PUC No. 793-I, herein seeks authority to mortgage said operating rights to The Poudre Valley National Bank of Fort Collins, Colorado, to secure payment of the sum of Thirteen Thousand Eight Hundred Ninety One and 73/100 (\$13,891.73) Dollars, in accordance with the terms and conditions set forth in Chattel Mortgage, of date January 27, 1966, executed by said James A. Sinnard, payable to said Poudre Valley National Bank of Fort Collins, said Mortgage, by reference, being made a part hereof.

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

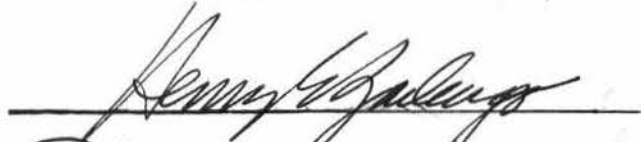
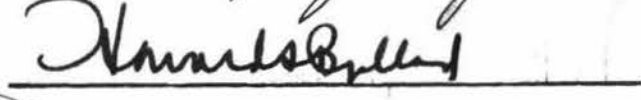

O R D E R

THE COMMISSION ORDERS:

That James A. Sinnard, doing business as "Sinnard Trucking," Wellington, Colorado, be, and hereby is, authorized to mortgage all his right, title, and interest in and to PUC No. 793 and PUC No. 793-I to The Poudre Valley National Bank of Fort Collins, Colorado, to secure payment of the sum of \$13,891.73, 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 2nd day of February, 1966.

et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
HAROLD KIBBEE, DOING BUSINESS AS )  
MATHESON LUMBER AND HARDWARE COMPANY, ) PERMIT M-307  
POST OFFICE BOX 98, MATHESON, COLORADO )  
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February 4, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

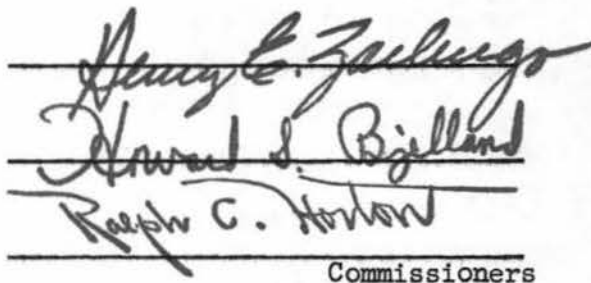
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 13, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 4th day of February 1966.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
RICHARD GRAZER, DOING BUSINESS AS,  
GRAZER OIL COMPANY, BOX 171, NORTH  
SALT LAKE, UTAH

PERMIT NO. M-684

February 4, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 1, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry E. Zaslavsky*  
*Howard S. Bjelland*  
*Ralph C. Norton*  
Commissioners

Dated at Denver, Colorado,  
this 4<sup>th</sup> day of February 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
CLEAR CREEK DISTRIBUTING COMPANY,  
5819 West 64TH AVENUE, ARVADA,  
COLORADO 80002

PERMIT N O. M-3187

February 4, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 1, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry E. Zaslavsky*  
*Howard S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 4th day of February 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
A H FASTENERS INCORPORATED, 7030  
WEST ROOSEVELT ROAD, OAK PARK,  
ILLINOIS, 60304

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}  
} PERMIT NO. M-4037

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February 4, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

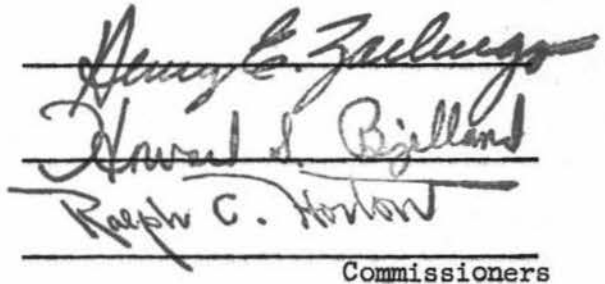
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 1, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 4th day of February 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF	}	PERMIT NO. M-5430
DORSETT MARINE, DIVISION OF TEXTRON		
INCORPORATED, 1111 DEWEY STREET,		
BREMEN, INDIANA 46506		

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February 4, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

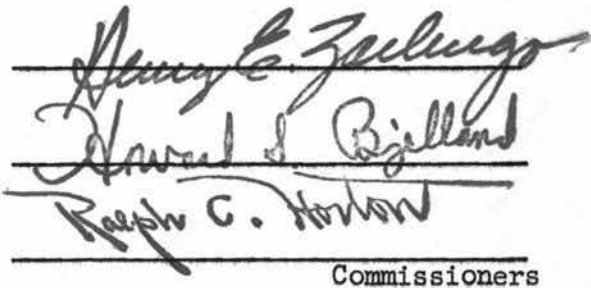
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 1, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 4th day of February 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
FROHLICK CONSTRUCTION COMPANY, 4785  
EAST EVANS, DENVER, COLORADO 80222

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PERMIT NO. M-8925

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February 4, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

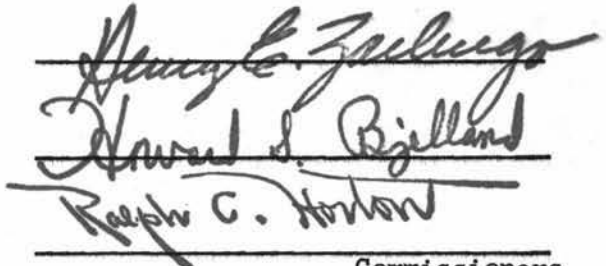
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 21, 1966

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 4th day of February 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
BEN HORIUCHI, DOING BUSINESS AS, )  
J & B MARKET, 2014 CALIFORNIA STREET, ) PERMIT NO. M-9555  
DENVER, COLORADO 80205 )

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February 4, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

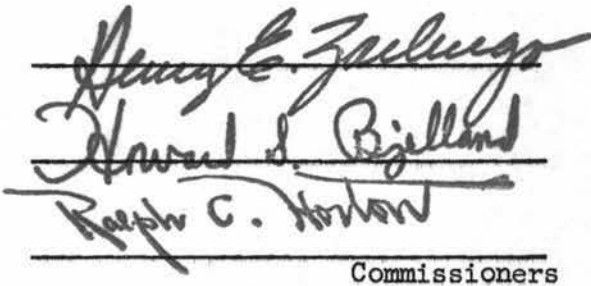
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 31, 1966

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 4th day of February 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
STANFORD M CHIZZICK, DOING BUSINESS ) PERMIT NO. M-9975  
AS STAN'S AUTO SALES, 7500 EAST COLFAX )  
AVENUE, DENVER, COLORADO 80208 )  
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February 4, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

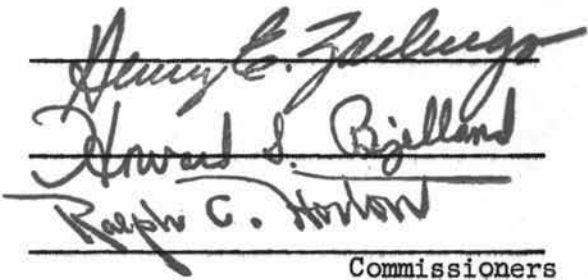
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 17, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 4th day of February 1966.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
MARVIN PLATT, DOING BUSINESS AS, )  
PLATT EQUIPMENT COMPANY, PAXTON, ) PERMIT NO. M-11327  
NEBRASKA )  
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February 4, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

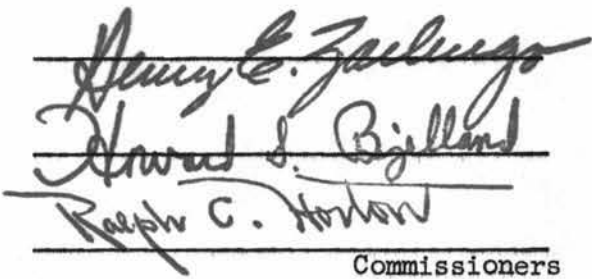
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 22, 1966

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 4th day of February 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF }  
ROBERT D HAER, 224 SOUTH FRONT STREET }  
STERLING, COLORADO 80751 } PERMIT NO. M-11426  
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February 4, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

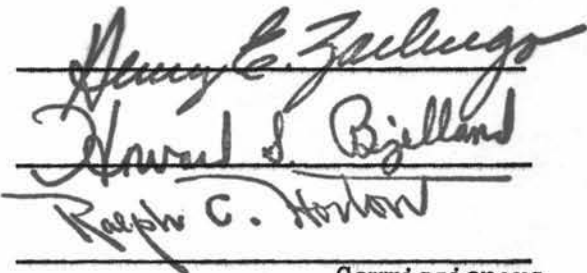
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 2, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 4th day of February 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
MOBILE HOME CENTER, 2322 NORTH AVENUE )  
GRAND JUNCTION, COLORADO 81511 ) PERMIT NO. M-11705  
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February 4, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

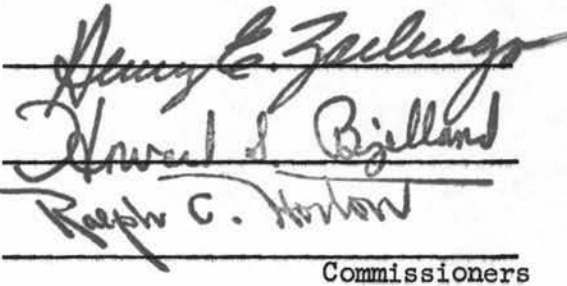
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 22, 1966/

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 4th day of February 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
ATHEY PRODUCTS CORPORATION, KOLMAN )  
DIVISION, BOX 806, SIOUX FALLS, SOUTH ) PERMIT NO. M-13073  
DAKOTA )  
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February 4, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

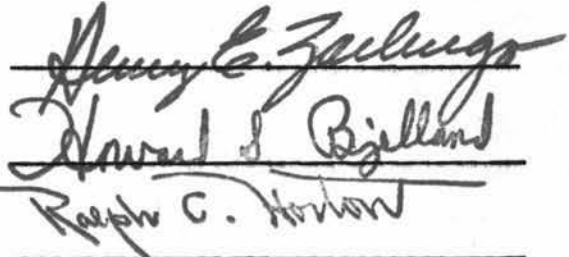
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 28, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 4th day of February 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF }  
STREVELL-PATERSON HARDWARE, 1401 SOUTH }  
6th WEST, SALT LAKE CITY, UTAH 84101 } PERMIT NO. M-15545

February 4, 1966

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.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 9, 1966.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry E. Zaichko*  
*Harold S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 4th day of February 1966.

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 ELEC-  
TRICAL SERVICE FOR LIGHT, HEAT,  
POWER, AND OTHER PURPOSES, TO PER-  
SONS, 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 DE-  
SCRIBED, LOCATED IN BACA, BENT,  
PROWERS, OTERO, CHEYENNE, KIOWA, LAS  
ANIMAS, PUEBLO, EL PASO, CROWLEY,  
AND LINCOLN COUNTIES, STATE OF COLO-  
RADO.

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;

CASE NO. 5253

Respondents.

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 CER-  
TAIN 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 CON-  
VENIENCE 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 CERTI-  
FICATE 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 COLO-  
RADO, FOR A CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY TO RENDER  
ELECTRIC SERVICE IN CERTAIN AREAS IN  
BENT COUNTY, COLORADO.

APPLICATION NO. 20267

February 3, 1966

SUPPLEMENTAL ORDER

Appearances: Carl Shinn, Esq., Lamar, Colo-  
rado, and  
John P. Thompson, Esq., Denver,  
Colorado, for Southeast Colo-  
rado 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., Spring-  
field, 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,  
for 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-styled matters.

On November 4, 1965, Petition for Rehearing of City  
of Lamar and Town of Holly was filed with the Commission,  
and on November 5, 1965, Petition for Rehearing of Southern  
Colorado Power Company, Division of Western Power and Gas  
Company, Inc. was filed with the Commission.

On November 12, 1965, the Commission entered its  
Decision No. 66261 granting said Petitions for Rehearing,  
in part, and said matters were therein set for rehearing on  
January 5 and 6, 1966.

On December 20, 1965, the Commission entered its  
Decision No. 66467, vacating rehearing set for January 5  
and 6, 1966, and re-setting said matters for rehearing on  
February 23, 24 and 25, 1966.

The Commission, on its own motion, states and finds  
that the rehearing should not be held on February 23, 24 and  
25, 1966, and that rehearing should be vacated, and that  
said rehearing be held at a later date to be determined by  
the Commission, as set forth in the Order following.

O R D E R

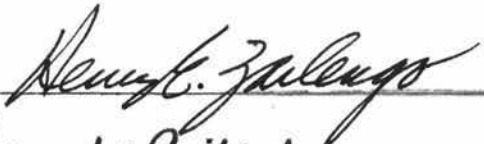
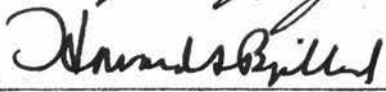

THE COMMISSION ORDERS:

That rehearing on the above-styled matters presently set for February 23, 24 and 25, 1966, be, and the same hereby is, vacated.

That said matters will be reset for rehearing at a later date to be determined by the Commission with notice to all parties in interest.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
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\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 3rd day of February, 1966.

jh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
Raymond Bradshaw, Jr. )  
3230 W. 2nd., )  
Durango, Colo. 81301 )  
----- )

AUTHORITY NO. B - 6266

CASE NO. 3908 Ins

-----  
February 4, 1966  
-----

S T A T E M E N T

By the Commission:

On January 31, 1966, 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. Zaichko  
Harold S. Bjelland  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,  
this 4th day of February

(Decision No. 66752)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF)  
JERRY AND DON GOEMAN, DOING BUSI- )  
NESS AS "GOEMAN BROTHERS," BOX 254, )  
BROADWATER, NEBRASKA, FOR AUTHOR- )  
ITY TO TRANSFER INTERSTATE OPERA- )  
TING RIGHTS TO ROBERT M. (JERRY), )  
DONALD L., AND JACK L. GOEMAN, )  
DOING BUSINESS AS "GOEMAN BROTHERS )  
TRUCKING," BOX 241, BROADWATER, )  
NEBRASKA. )  
-----

PUC NO. 5218-I-Transfer

-----  
February 7, 1966  
-----

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Jerry and Don Goeman, doing business as "Goeman Brothers," Broadwater, Nebraska, were granted a certificate of public convenience and necessity (PUC No. 5218-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. 5218-I to Robert M. (Jerry), Donald L., and Jack L. Goeman, doing business as "Goeman Brothers Trucking", Broadwater, 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.

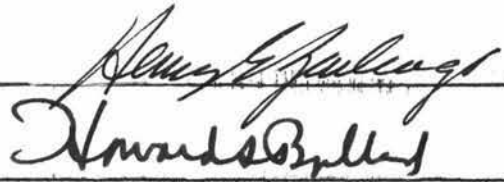
O R D E R

THE COMMISSION ORDERS:

That Jerry and Don Goeman, doing business as "Goeman Brothers," Broadwater, Nebraska, be, and hereby are, authorized to transfer all right, title, and interest in and to PUC No. 5218-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Robert M. (Jerry), Donald L., and Jack L. Goeman, doing business as "Goeman Brothers Trucking," Broadwater, 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

  
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Commissioners

Dated at Denver, Colorado,  
this 7th day of February, 1966.  
et

(Decision No. 66753)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF)  
DAVID N. STRAUSS, 6921 COLORADO )  
BOULEVARD, COMMERCE CITY, COLORADO, )  
FOR AUTHORITY TO EXTEND OPERATIONS )  
UNDER PERMIT NO. B-6275. )  
- - - - -

APPLICATION NO. 21482-PP-  
EXTENSION  
SUPPLEMENTAL ORDER

- - - - -  
February 7, 1966  
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On January 18, 1966, the Commission entered its Decision No. 66627 in the above-styled application, revoking operating rights granted to the above-styled applicant by Decision No. 66090, dated October 18, 1965, for failure of said applicant to comply with requirements set forth in said Decision No. 66090.

It now appears that Applicant has complied with all requirements of Decision No. 66090, and requests reinstatement of operating rights granted thereby.

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. 66627, dated January 18, 1966, be, and the same hereby is, vacated, set aside, and held for naught, as of said 18th day of January, 1966, and operating rights heretofore granted to the above-styled applicant by Decision No. 66090, dated October 18, 1965, be, and the

same hereby are, restored to active status, as of said date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry J. Gulevsky*

*Howard B. Miller*

*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of February, 1966.

et



(Decision No. 66754)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF)	
ROY W. SLOCUM, 3414½ WEST KIOWA, )	
COLORADO SPRINGS, COLORADO, FOR )	APPLICATION NO. 21761-PP
AUTHORITY TO EXTEND OPERATIONS )	<u>Extension</u>
UNDER PERMIT NO. B-4761.. )	

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-----  
February 7, 1966  
-----

Appearances: Roy W. Slocum, Colorado  
Springs, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicant herein is presently the owner and operator of Permit No. B-4761, 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 used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone and refuse, from and to building construction jobs, to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek and Gilpin Counties.

By the above-styled application, said permit-holder seeks authority to extend operations under Permit No. B-4761 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.

Said application, pursuant to prior setting after appropriate notice to all parties in interest, was heard at the County Office Building, Colorado Springs, Colorado, at 10:00 o'clock A.M., February 1, 1966, and at the conclusion of the evidence, the matter was taken under advisement.

The applicant appeared and testified in support of his application.

No protestants appeared and there is no protest to the application.

The applicant testified that there is a need for the extended authority sought; that he has had experience in trucking transportation; that he will use a 1963 Chevrolet truck; that his net worth is approximately \$15,000; and that he will abide by all the rules and regulations of the Commission with which he will familiarize himself.

The Commission 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 Roy W. Slocum, Colorado Springs, be, and hereby is, authorized to extend operations under Permit No. B-4761, 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; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

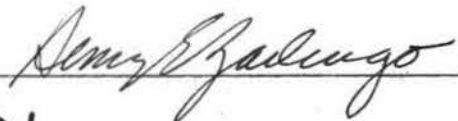
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

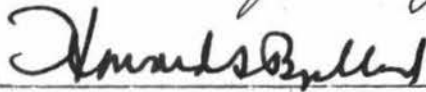
That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

That right of applicant to operate hereunder shall depend upon Applicant's 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

  
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Commissioners

Dated at Denver, Colorado,  
this 7th day of February, 1966.

et

(Decision No.66755)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF)  
DUANE E. HARVEY, 1323 NORTH ARCADIA)  
STREET, COLORADO SPRINGS, COLORADO,)  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS A PRIVATE CARRIER BY MOTOR )  
VEHICLE FOR HIRE, )  
- - - - -

APPLICATION NO. 21707-PP

- - - - -  
February 7, 1966  
- - - - -

Appearances: Duane E. Harvey, 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, pursuant to prior setting after  
appropriate notice to all parties in interest, was heard  
at the County Office Building, Colorado Springs, Colorado,  
at 10:00 o'clock A.M., February 1, 1966, and at the conclu-  
sion of the evidence, the matter was taken under advisement.

The applicant appeared and testified in support of  
his application.

No protestants appeared and there is no protest to  
the application.

The applicant testified that there is a need for the  
authority sought; that he has had experience in trucking  
transportation; that he will use one International tandem  
dump truck in the operation; that he has a net worth of  
approximately \$20,000; and that he will abide by all the  
rules and regulations of the Commission with which he will

familiarize himself.

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 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 Duane E. Harvey, 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; also, coal, from Canon City area to Colorado Springs; peat moss, from pits and supply points in Divide area to



Colorado Springs, Colorado; and this ORDER shall be deemed to be, and be, a PERMIT therefor.


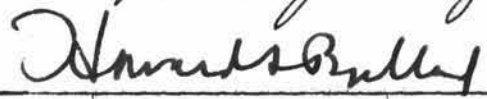

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amends to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until applicant has filed 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

  
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Commissioners

Dated at Denver, Colorado,  
this 7th day of February, 1966.  
et



orig copy

Decision No. 66756

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE: MOTOR VEHICLE OPERATIONS OF )  
GILBERT LOPEZ )  
836 Struthers Avenue )  
Grand Junction, Colorado 81501 )  
----- )

AUTHORITY NO. M 7297  
CASE NO. 3807 Ins.

-----  
February 7, 1966  
-----

S T A T E M E N T

By the Commission:

On January 31, 1966, 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. Ziehlings*  
*Howard S. Bjelland*  
*Ralph G. Johnson*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of February, 1966

(Decision No.66757)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF)  
ELMER FRANZEN, ROUTE 1, BOX 120, )  
EATON, COLORADO, FOR A CLASS "B )  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )  
- - - - -

APPLICATION NO.21714-PP

- - - - -  
February 8, 1966  
- - - - -

Appearances: Elmer Francen, Eaton,  
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 con-  
clusions.

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 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 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 Francen, Eaton, 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, farm products and fertilizer, between points within a 50-mile radius of Eaton, Colorado; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

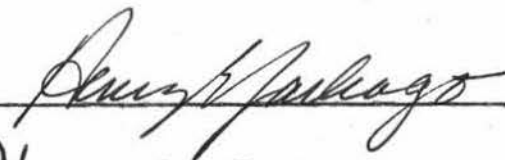
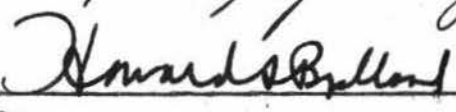
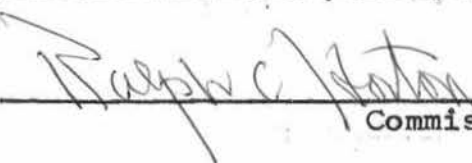
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until Applicant has filed 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 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 8th day of February, 1966.

et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
M. O. PRICE AND GENE MCGINNIS, )  
DOING BUSINESS AS "FREDONIA TRUCK )  
LINE", P. O. BOX 325, FREDONIA, )  
KANSAS, FOR AUTHORITY TO TRANSFER )  
INTERSTATE OPERATING RIGHTS TO )  
GENE MCGINNIS, DOING BUSINESS AS )  
"FREDONIA TRUCK LINE", P. O. BOX )  
325, FREDONIA, KANSAS. )  
-----

PUC NO. 4564-I-Transfer

IN THE MATTER OF THE APPLICATION OF )  
M. O. PRICE AND GENE MCGINNIS, )  
DOING BUSINESS AS "FREDONIA TRUCK )  
LINE", P. O. BOX 325, FREDONIA, )  
KANSAS, FOR AUTHORITY TO TRANSFER )  
INTERSTATE OPERATING RIGHTS TO )  
GENE MCGINNIS, DOING BUSINESS AS )  
"FREDONIA TRUCK LINE," P. O. BOX )  
325, FREDONIA, KANSAS. )  
-----

PERMIT NO. B-6126-I-  
Transfer

-----  
February 9, 1966  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, M. O. Price and Gene McGinnis, doing  
business as "Fredonia Truck Line", Fredonia, Kansas, was  
granted the following operating rights:

PUC No. 4564-I

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.

PERMIT NO. B-6126-I:

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 M. O. Price and Gene McGinnis, doing business as "Fredonia Truck Line," now seek authority to transfer said PUC No. 4564-I and Permit No. B-6126-I to Gene McGinnis, doing business as "Fredonia Truck Line", Fredonia, Kansas.

Inasmuch as the records and files of the Commission fail to disclose any reason why said transfers should not be authorized, the Commission states and finds that the proposed transfers are compatible with the public interest, and should be authorized, as set forth in the Order following.

O R D E R

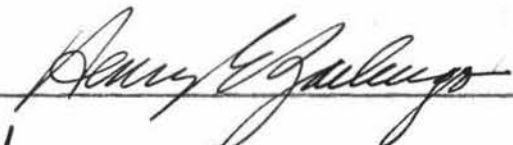
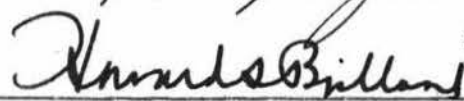

THE COMMISSION ORDERS:

That M. O. Price and Gene McGinnis, doing business as "Fredonia Truck Line," Fredonia, Kansas, be, and they hereby are, authorized to transfer all right, title, and interest in and to PUC No. 4564-I and Permit No. B-6126-I --- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Gene McGinnis, doing business as "Fredonia Truck Line," Fredonia, Kansas, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, and subject to encumbrances, if any, against said certificate and permit 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 9th day of February, 1966.

et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION )  
OF OSCAR E. KING, 1008 NORTH )  
STAR DRIVE, COLORADO SPRINGS, )  
COLORADO, FOR A CLASS "B" PERMIT ) APPLICATION NO. 21758-PP  
TO OPERATE AS A PRIVATE CARRIER )  
BY MOTOR VEHICLE FOR HIRE. )  
- - - - -

- - - - -  
February 8, 1966  
- - - - -

Appearances: Oscar E. King, 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, pursuant to prior setting after  
appropriate notice to all parties in interest, was heard at  
the County Office Building, Colorado Springs, Colorado, at  
10:00 A. M., February 1, 1966, and at the conclusion of the  
evidence, the matter was taken under advisement.

The applicant appeared and testified in support of  
his application.

No protestants appeared and there is no protest to  
the application.

The applicant testified that there is a need for  
the authority sought; that he has had experience in trucking  
transportation; that he will use one dump truck in the oper-  
ation; that he has a net worth of approximately \$5800; and  
that he will abide by all the rules and regulations of the  
Commission with which he will familiarize himself.

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 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 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 Oscar E. King, 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 deemed to be, and be, a PERMIT therefor.


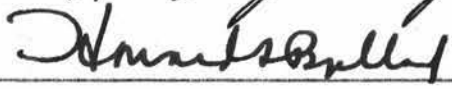

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

Dated at Denver, Colorado,  
this 8th day of February, 1966.

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