(Decision No. 21790)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE N. AND A. L. MILLER, FORT)
COLLINS, COLORADO, FOR AUTHORITY) APPLICATION NO. 5535-PP-AAA
TO TRANSFER PERMIT NO. A-179 TO)
A. L. MILLER, 126 PEARL STREET,)
FORT COLLINS, COLORADO.)

January 5, 1944.

Appearances: George N. and A. L. Miller, Fort Collins, Colorado, pro se.

S T A T E M E N T

By the Commission:

Heretofore, Permit No. A-179 was issued by the Commission, authorizing the transportation of milk in the Fort Collins area, and on November 24, 1941, by Decision No. 17906, said permit was transferred to George N. and A. L. Miller.

The instant application, which was heard at Denver, Colorado, on December 28, 1943, seeks authority in the said G. N. and A. L. Miller to transfer said permit, with authority as set forth in Decision No. 18543, to A. L. Miller, of Fort Collins.

The evidence disclosed that no outstanding obligations exist against the presently conducted operation.

No protests were interposed to the granting of the authority sought, and the financial standing and operating reliability of transferee were established to the satisfaction of the Commission. George N. Miller is the father of A. L. Miller.

After careful consideration of the record, the Commission is of the opinion, and so finds, that the authority sought should be granted.

O R D E R

IT IS ORDERED:

That George N. and A. L. Miller be, and they are hereby, authorized

to transfer all of their right, title and interest in and to Permit No. A-179 to A. L. Miller, of Fort Collins, Colorado.

The right of transferee to operate under this permit shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order is made a part of the permit authorized to be transferred, and shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 5th day of January, 1944.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF S. A. MARKLEY, DOING BUSINESS AS M & M TRUCK COMPANY, P. O. BOX 838, DENVER, COLORADO, FOR AUTHORITY TO TRANSFER CERTIFICATE NO. 1246-I TO SA A. MARKLEY AND WILMA L. MARKLEY, DOING BUSINESS AS M & M TRUCK COMPANY, P. O. BOX 838, DENVER, COLORADO.	APPLICATION NO. 5783-A

January 7, 1944.

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

S T A T E M E N T

By the Commission:

Heretofore, Certificate No. 1246-I, authorizing operations as a common carrier by motor vehicle in interstate commerce, was issued by the Commission to H. M. Melton and S. A. Markley, copartners, doing business as Melton and Markley. Thereafter, the said H. M. Melton and S. A. Markley were authorized to transfer said certificate to Melton & Markley, Inc., a corporation, and on December 5, 1939, by Decision No. 14421, the said Melton & Markley, Inc., was authorized to transfer said Certificate No. 1246-I to S. A. Markley, doing business as "M & M Truck Company".

The instant application, which was heard at Denver, Colorado, on December 23, 1943, seeks authority to transfer said certificate from the said S. A. Markley to S. A. Markley and Wilma L. Markley, doing business as "M & M Truck Company".

The records and files in connection with said certificate were made part of the instant application. No protests were interposed to the granting of the authority sought, and said records and files disclose no reason why the authority sought should not be granted.

After careful consideration of the record, the Commission is of the opinion, and so finds, that said transfer should be authorized.

O R D E R

IT IS ORDERED:

That S. A. Markley, doing business as "M & M Truck Company", be, and hs is hereby, authorized to transfer Certificate No. 1246-I to S. A. Markley and Wilma L. Markley, doing business as "M & M Truck Company".

The right of transfer herein granted is subject to the provisions of the Federal Motor Carrier Act of 1935.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 7th day of January, 1944.

BH

(Decision No. 21792)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILLIAM P. MOLLOY, DOING BUSINESS AS)
"SKY LINE AUTO LIVERY," LEADVILLE,) APPLICATION NO. 6373
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY.)

January 5, 1944

Appearances: Marion F. Jones, Esq., Denver, Colorado, for the applicant;
T. A. Stockton, Jr., Esq., Denver, Colorado, for E. D. Holmes;
Ione Beatty, Red Cliffe, Colorado, for Quartzite Transportation Company;
T. A. White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.

S T A T E M E N T

By the Commission:

On November 20, 1943, the Commission entered its order and decision, No. 21634, in the above-styled matter.

On December 11, 1943, applicant, William P. Molloy, filed application for rehearing. Among other things, it is alleged as grounds for rehearing that, on November 28, 1942, War Certificate No. 963 363, Class 781, issued to applicant to operate a taxicab in Leadville and vicinity under the rules and regulations of The Office of Defense Transportation.

We had been informed by The Office of Defense Transportation that no certificate had issued or would issue to applicant, and in part, our findings and order were based upon said statements. Since the filing of application for rehearing, the local office of The Office of Defense Transportation has informed the Commission that it was in error, and that certificate mentioned in petition for rehearing had issued.

In view of that fact, and the claim by petitioner that if a

further hearing is had in said matter he will be able to present testimony showing that public convenience and necessity require his proposed service, the Commission is of the opinion, and finds, that said application for rehearing should be granted.

O R D E R

IT IS ORDERED:

That application for rehearing be, and the same hereby is, granted; that said Decision No. 21634 be, and the same hereby is, set aside and vacated; that said matter should be set for further hearing on some day hereafter to be determined by the Commission, due notice of the time and place of hearing to be served on all parties in interest.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 5th day of January, 1944.

mw

(Decision No. 21793)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE N. MILLER AND ALVIN L. MILLER,)
FORT COLLINS, COLORADO, FOR AUTHORITY)
TO TRANSFER INTERSTATE OPERATING) PUC NO. 1476-I
RIGHTS TO GEORGE N. MILLER AND CARL)
W. MILLER, 139 PEARL STREET, FORT)
COLLINS, COLORADO.)

January 6, 1944

S T A T E M E N T

By the Commission:

Heretofore, George N. Miller and Alvin L. Miller, Fort Collins, Colorado, were authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as common carriers by motor vehicle for hire in interstate commerce, and certificate No. 1476-I issued to them.

Said certificate-holders now seek authority to transfer said operating rights to George N. Miller and Carl W. Miller, Fort Collins, Colorado.

The records and files of the Commission fail to disclose any reason why said request should not be granted.

After careful consideration of the record, the Commission is of the opinion, and finds, that said transfer should be authorized.

O R D E R

IT IS ORDERED:

That George N. Miller and Alvin L. Miller, Fort Collins, Colorado, be, and they hereby are, authorized to transfer all their right, title and interest in and to PUC No. 1476-I to George N. Miller and Carl W. Miller, Fort Collins, Colorado

That said transfer shall be made subject to the provisions of the Federal Motor Carrier Act of 1935.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

I D Newman

Edward J. Keating

Walter Epperson

Commissioners

Dated at Denver, Colorado
this 6th day of January, 1944.

hs

(Decision No. 21794)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

GEORGE F. HARSH AND MARIE L. HARSH, Petitioners	)	
vs	)	CASE NO. 4910
L. K. THOMAS AND MRS. L. K. THOMAS, Defendants.	)	

January 6, 1944

S T A T E M E N T

By the Commission:

On October 14, 1943, Petitioners filed their complaint against L. K. Thomas and Mrs. L. K. Thomas, alleging that Defendants were a public utility; that they had been furnishing water as a utility to petitioners and their predecessors in interest at the property known as 5701 Rhea, Arvada, Colorado, for many years; that Defendants had threatened to discontinue said service, and would so do, unless prevented by the Commission.

Order to Satisfy or Answer were issued to respondents, who filed their answer on October 27, 1943.

Thereupon, the matter was investigated by members of the Commission's staff.

From an examination of the petition, the answer, and the report filed with the Commission of investigation made by said members of the Commission's staff, the Commission is of the opinion that said defendants, in furnishing said water, were not a public utility; that they acted as individuals merely permitting petitioners and two additional families to use surplus water over and above their personal requirements from their

well; that no obligation is imposed upon them by law to continue the service; that no useful purpose would be served by setting said matter for hearing.

Therefore, after careful consideration of the record, the Commission is of the opinion, and finds that it is without jurisdiction to entertain said complaint and the same should be dismissed.

O R D E R

IT IS ORDERED:

That Case No. 4910 should be, and the same hereby is, dismissed.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado
this 6th day of January, 1944.

hs

Original

(Decision No. 21795)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF V. F. THOMPSON, BOX 485, MILLIKEN, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 6521-PP

January 6, 1944

Appearances: Herbert Mann, Esq., Greeley, Colorado, for applicant;
M. S. Weber, Greeley, Colorado, for Union Delivery Company;
John Clouse, Windsor, Colorado, pro se;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company.

S T A T E M E N T

By the Commission:

As limited by the testimony at the hearing, in Greeley, Colorado, on December 8, 1943, applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of: (a) ground hay from farms within a radius of fifty miles of Milliken to railroad loading points in said area; (b) coal from mines within a radius of fifty miles of Milliken to Denver, Greeley, and points within a radius of five miles of (and including) Milliken; (c) farm products except livestock between points within the area extending five miles north and fifteen miles east, west and south of Milliken, and from points in said area to Greeley; (d) grain between points within a radius of fifteen miles of Buckingham, and from points in said area to elevators and shipping points within a radius of fifty miles of Buckingham.

There was no objection to the granting of authority sought.

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

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted, as hereinafter limited.

O R D E R

IT IS ORDERED:

That V. F. Thompson, Milliken, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of: (a) ground hay from farms within a radius of fifty miles of Milliken to railroad loading points in said area; (b) coal from mines within a radius of fifty miles of Milliken to Denver, Greeley, and points within a radius of five miles of (and including) Milliken; (c) farm products between points within the area extending five miles north and fifteen miles east, west, and south of Milliken, and from points in said area to Greeley; (d) grain between points within a radius of fifteen miles of Buckingham, and from points in said area to elevators and shipping points within a radius of fifty miles of Buckingham.

That applicant shall not transport any commodities under this permit between towns served by line haul motor vehicle common carriers.

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

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

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

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 6th day of January, 1944

Original

(Decision No. 21796)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ABE O. PEREA, BOX 712, WINDSOR,)
COLORADO, FOR A CLASS "B" PERMIT) APPLICATION NO. 6517-PP
TO OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

January 6, 1944

Appearances: M. S. Weber, Greeley, Colorado,
for Union Delivery Company;
A. J. Fregeau, Denver, Colorado,
for Weicker Transfer and Storage Company;
John Clouse, Windsor, Colorado,
pro se.

S T A T E M E N T

By the Commission:

The above-styled application was filed on October 11, 1943.

The matter was set for hearing at Greeley, Colorado, on December 8, 1943, due notice of the time and place of hearing being forwarded to applicant.

Notwithstanding said notice, applicant failed to appear.

Thereupon, protestant moved that said application be dismissed for lack of prosecution.

The matter was taken under advisement.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be dismissed for lack of prosecution.

O R D E R

IT IS ORDERED:

That the above-styled application be, and the same hereby is dismissed for lack of prosecution.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado
this 6th day of January, 1944.

hs

(Decision No. 21797)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ARCHIE LANGSTON, EGGERS, COLORADO,)
FOR AUTHORITY TO TRANSFER CERTIFI-)
CATE OF PUBLIC CONVENIENCE AND NE-) APPLICATION NO. 1783-AA
CESSITY NO. 562 TO RALPH SANDERS,)
FORT COLLINS, COLORADO.)

January 6, 1944

Appearances: Archie Langston, Eggers, Colorado, for applicants;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company.

S T A T E M E N T

By the Commission:

The above-styled application was heard at Greeley, Colorado, on December 8, 1943.

At the hearing, it appeared that Archie Langston, who, pursuant to authority contained in Decision No. 19138, acquired PUC No. 562 from Ralph L. Sanders, which authorizes the transportation of:

> passengers, freight and express between Fort Collins, Colorado, and Chambers Lake, Colorado, and intermediate points, subject to the limitation of one thousand pounds per load for household furniture,

seeks authority to transfer said certificate to said Ralph L. Sanders.

It appeared that all operating obligations of transferor have been paid; that the consideration for the transfer is the sum of $70.00; that, pecuniarily and otherwise, transferee is qualified to carry on the operation which he expects to operate in connection with his Star Mail Route.

After careful consideration of the record, the Commission is of the opinion, and finds, that said transfer should be authorized.

O R D E R

IT IS ORDERED:

That Archie Langston, Eggers, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to PUC No. 562 to Ralph L. Sanders, Fort Collins, Colorado.

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

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 6th day of January, 1944.

mw

(Decision No. 21798)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ANDREW HERSHFELDT, CROOK, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE) APPLICATION NO. 6538-PP
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

January 6, 1944

S T A T E M E N T

By the Commission:

On December 9, 1943, Andrew Hershfeldt filed application with the Commission for authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of hay from point to point within a radius of twenty-five miles of Crook, Colorado.

The Commission is now in receipt of a request from said Andrew Hershfeldt, asking that his application be dismissed.

After careful consideration of the record, the Commission is of the opinion, and finds, that said request should be granted and the instant application dismissed.

O R D E R

IT IS ORDERED:

That the above-styled application be, and the same hereby is, dismissed, without prejudice.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 6th day of January, 1944.

mw

(Decision No. 21799)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
ARTIE I MOYER)
Rt. 3 Box 82A) PERMIT NO. C-14712
Golden, Colorado)
)

January 6, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Artie I. Moyer of Rt. 3, Box 82A, Golden, Colorado, requesting that his Permit No. C-14712 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14712, heretofore issued to Artie I. Moyer, Rt. 3, Box 82A, Golden, Colorado be, and the same is hereby, declared cancelled effective January 1, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Johnson

Edward E. Knauer

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 6th day of January, 1944

(Decision No. 21800)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
ARCHIE RAY TURNER) PERMIT NO. C-12768
Box 13,)
Eckert, Colorado.)
)

January 6, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Archie Ray Turner of Box 13, Eckert, Colo., requesting that his Permit No. C-12768 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12768, heretofore issued to Archie Ray Turner, Box 13, Eckert, Colorado be, and the same is hereby, declared cancelled effective January 1, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry O. Thorman

Edward E. Keller

Madison Erickson

Commissioners.

Dated at Denver, Colorado,

this 6th day of January, 1944

(Decision No. 21801)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
FARLEY LUMBER & HARDWARE CO.) PERMIT NO. C-12749
Farley,)
New Mexico.)
)

January 6, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Farley Lumber & Hardware Co. of Farley, New Mexico, requesting that his Permit No. C-12749 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12749, heretofore issued to Farley Lumber & Hardware Co., Farley, New Mexico, be, and the same is hereby, declared cancelled effective December 27, 1943.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thorman

Edward E. Knaebel

Malcom Ericksen

Commissioners.

Dated at Denver, Colorado,

this 6th day of January, 1944.

(Decision No. 21802)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
SAM PLATNICK)
1040 E 6th)
Des Moines, Iowa.)
)

PERMIT NO. C-12398

January 6, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Sam Platnick of 1040 E 6th, Des Moines, Iowa, requesting that his Permit No. C-12398 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12398, heretofore issued to San Platnick, 1040 E 6th, Des Moines, Iowa, be, and the same is hereby, declared cancelled effective December 31, 1943.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ Henry D. Thomas

/s/ Edward E. Keeler

/s/ Malcolm Ericksen

Commissioners.

Dated at Denver, Colorado,

this 6th day of January, 1944.

(Decision No. 21803)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
W. G. Stephen) PERMIT NO. C-5683
2324 - 8th Ave.)
Greeley, Colorado.)
)

January 6, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from W. G. Stephen of 2324 - 8th Ave, Greeley, Colorado, requesting that his Permit No. C-5683 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-5683, heretofore issued to W. G. Stephen, 2324 - 8th Ave., Greeley, Colorado, be, and the same is hereby, declared cancelled effective January 1, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 6th day of January, 19 44

(Decision No. 21804)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

IN THE MATTER OF THE APPLICATION OF HIGHLAND UTILITIES COMPANY FOR CERTIFICATE OF CONVENIENCE AND NECESSITY TO EXERCISE FRANCHISE RIGHTS AND PRIVILEGES UNDER ORDINANCE NO. 170 OF THE TOWN OF CORTEZ, COLORADO.	APPLICATION NO. 1373-B

January 6, 1944

Appearances. Lowell D. Hunt, Esq., Denver, Colorado, attorney for applicant.

S T A T E M E N T

By the Commission:

This is an application for a certificate of public convenience and necessity authorizing the exercise by applicant of certain franchise rights granted by the Board of Trustees of the Town of Cortez, Colorado.

On or about June 25, 1943, Ordinance No. 170 was passed by the Board of Trustees of the Town of Cortez, and approved by its Mayor, granting to applicant, its successors and assigns, a franchise,-

> "TO CONSTRUCT, MAINTAIN AND OPERATE AN ELECTRIC LIGHT AND POWER PLANT, TRANSMISSION LINE OR LINES AND TO MANUFACTURE, GENERATE, TRANSMIT, DISTRIBUTE AND SELL ELECTRICITY FOR LIGHT, HEAT AND POWER, AND ALL OTHER USEFUL PURPOSES, IN AND TO THE TOWN OF CORTEZ, COLORADO, AND ALL ADDITIONS THERETO AND THE RESIDENTS THEREOF, AND FOR THE PURPOSE OF FURNISHING ELECTRICITY, LIGHT, HEAT AND POWER TO SUCH ADJACENT, SURROUNDING AND OTHER TERRITORY AS MAY BE NECESSARY AND DESIRABLE, AND GRANTING THE RIGHT OF WAY ALONG, OVER AND UNDER STREETS, AVENUES, ALLEYS AND PUBLIC PLACES IN SAID TOWN AND ADDITIONS THERETO, FOR THE ERECTION AND MAINTENANCE OF POLES, PIPE LINES, CONDUITS, SUBSTATIONS, TRANSFORMERS AND WIRES THEREFROM AND THEREUNDER FOR SUCH PURPOSES",

for a term of twenty (20) years from and after its passage and approval.

No hearing has been held upon said application, but the files and records of the Commission in connection with said application have been made a part of the record and duly considered in this order.

The application was filed as a result of our order dated December 16, 1943, in the matter of the "Application of Highland Utilities Company, Springfield, Colorado, for permission to transfer electric plant, transmission and distribution system in Montezuma County, Colorado", Applications Nos. 1271-A, et al., Decision 21708.

The record discloses that applicant has heretofore served the Town of Cortez under a franchise granted by ordinance, which service was authorized by a certificate of convenience and necessity granted by this Commission. However, said franchise had expired by limitation on or about July 1, 1943.

A certified copy of the Articles of Incorporation of applicant is now on file with this Commission, and it affirmatively appears that there is no other utility engaged in furnishing electricity in said town of Cortez. It further appears that no additional investment is being made by applicant for the purpose of operating under said new franchise right.

After a cereful consideration of the record, the Commission is of the opinion, and so finds, that the present and future public convenience and necessity require the exercise by applicant, or its succéssors in interest, of the franchise rights granted to it by the Town of Cortez, Colorado, and we are further of the opinion, and so find, that no necessity exists and no good purpose would be served by setting the instant matter for hearing.

O R D E R

IT IS ORDERED:

That the present and future public convenience and necessity require the exercise by applicant, or its successors in interest, of the franchise rights granted to it by the Board of Trustees of the Town of Cortez, Colorado, in Ordinance No. 170, on June 25, 1943, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

Applicant shall file its rate schedules, rules and regulations, set up its books and accounts in agreement with the Uniform Classification of Accounts, and bring all its practices as to testing, consumers' deposits and operations, records of meters, transformers and complaints into compliance with

the Commission's requirements, within twenty days from date.

Failure of applicant to comply as above ordered shall nullify and automatically revoke at the end of said period the authorization herein granted, but subject to any further action or modification the Commission may order.

This order shall become effective ten (10) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 6th day of January, 1944.

(Decision No. 21805)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HIGHLAND UTILITIES COMPANY, CORTEZ,)
COLORADO, FOR CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO EXERCISE) APPLICATION NO. 1272-B
RIGHTS AND PRIVILEGES UNDER ORDINANCE)
NO. 242 OF THE TOWN OF MANCOS, COLO-)
RADO.)

January 6, 1944

Appearances: Lowell D. Hunt, Esq., Denver, Colorado, for applicant.

S T A T E M E N T

By the Commission:

This is an application for a certificate of public convenience and necessity authorizing the exercise by applicant of certain franchise rights granted by the Board of Trustees of the Town of Mancos, Colorado.

On or about November 19, 1943, Ordinance No. 242 was passed by the Board of Trustees of the Town of Mancos, Colorado, and approved by its Mayor, granting to applicant, its successors and assigns, a franchise:

> "TO CONSTRUCT, MAINTAIN AND OPERATE AN ELECTRIC LIGHT AND POWER PLANT TRANSMISSION LINE OR LINES AND TO MANUFACTURE, GENERATE, TRANSMIT, DISTRIBUTE AND SELL ELECTRICITY FOR LIGHT, HEAT AND POWER, AND ALL OTHER USEFUL PURPOSES, IN AND TO THE TOWN OF MANCOS, COLORADO, AND ALL ADDITIONS THERETO AND THE RESIDENTS THEREOF, AND FOR THE PURPOSE OF FURNISHING ELECTRICITY, LIGHT, HEAT AND POWER TO SUCH ADJACENT, SURROUNDING AND OTHER TERRITORY AS MAY BE NECESSARY AND DESIRABLE, AND GRANTING THE RIGHT OF WAY ALONG, OVER AND UNDER STREETS, AVENUES, ALLEYS AND PUBLIC PLACES IN SAID TOWN AND ADDITIONS THERETO, FOR THE ERECTION AND MAINTENANCE OF POLES, PIPE LINES, CONDUITS, SUBSTATIONS, TRANSFORMERS AND WIRES THEREFROM AND THEREUNDER FOR SUCH PURPOSES,"

for a period of twenty (20) years from and after its passage and approval.

No hearing has been held upon said application, but the files and records of the Commission in connection with said application have been made a part of the record and duly considered in this order.

The application was filed as a result of our order dated December 16, 1943, in the matter of the "Application of Highland Utilities Company, Springfield, Colorado, for permission to transfer electric plant, transmission and distribution systems in Montezuma County, Colorado." (Applications Nos. 1271-A, et al, Decision No. 21708).

The record discloses that applicant has heretofore served the Town of Mancos under a franchise granted by ordinance, which service was authorized by a certificate of public convenience and necessity granted by this Commission. However, said franchise had expired by limitation on or about November 19, 1943.

A certified copy of the Articles of Incorporation of applicant is on file with this Commission, and it affirmatively appears that there is no other utility engaged in furnishing electricity in said Town of Mancos. It further appears that no additional investment is being made by applicant for the purpose of operating under said new franchise right.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that the present and future public convenience and necessity require the exercise by applicant, or its successors and assigns, of the franchise rights granted to it by the Town of Mancos, Colorado, and we further find that no necessity exists and no good purpose would be served by setting the instant matter for hearing.

O R D E R

IT IS ORDERED:

That the present and future public convenience and necessity require the exercise by applicant, or its successors in interest, of the franchise rights granted to it by the Board of Trustees of the Town of Mancos, Colorado, in Ordinance No. 242, on November 19, 1943, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

Applicant shall file its rate schedules, rules and regulations, set up its books and accounts in agreement with the Uniform Classification of Accounts, and bring all its practices as to testing, consumers' deposits and operations, records of meters, transformers and complaints into compliance with the Commission's requirements, within twenty (20) days from date.

Failure of applicant to comply as above ordered shall nullify and automatically revoke at the end of said period the authorization herein granted, sub subject to any further action or modification the Commission may order.

This order shall become effective ten (10) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 6th day of January, 1944.

mw

(Decision 21806)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
HARRY B HOUSTON)
4622 Bryant St.)
Denver, 11, Colo.)
)

PRIVATE PERMIT NO. B-2826

January 6, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2826 be suspended for a period of six months from January 1, 1944.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That Harry B. Houston, 4622 Bryant St. Denver, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-2826 for a period of not to exceed six months from January 1, 1944.

That unless said Harry B. Houston shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurnace, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado
this 6th day of January 1944.

(Decision No. 21807)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
MANUEL & JOHN MORALEZ)
Box 187)
Granby, Colorado)
)

PERMIT NO. C-7600

January 6, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Manuel and John Moralez of Box 187, Granby, Colorado, requesting that his Permit No. C-7600 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-7600, heretofore issued to Manuel and John Moralez, Box 187, Granby, Colorado, be, and the same is hereby, declared cancelled effective November 25, 1943.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry O. Johnson

Edward E. Bradley

Malcom Ericson

Commissioners.

Dated at Denver, Colorado,

this 6th day of January, 19 44

(Decision 21808)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
)
MANUEL AND JOHN MORALEZ)
Box 187) PRIVATE PERMIT NO. B-2658
Granby, Colorado)

January 6, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2658 be suspended for a period of six months from November 25, 1943.

After careful consideration, the Commission is of the opinion and so finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That Manuel and John Moralez of Granby, Colorado be, and they are hereby, authorized to suspend their operations under permit No. B-2658 for a period of not to exceed six months from November 25, 1943.

That unless said Manuel and John Moralez shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado
this 6th day of January 1944.

(Decision 21809)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
Lester McClure)
846 E Cimarron) PRIVATE PERMIT NO. B-2703
Colorado Springs, Colo.)

January 6, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2703 be suspended for a period of six months from January 3, 1944.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That Lester McClure of Colorado Springs, Colorado be, and he is hereby authorized to suspend his operations under Permit No. B-2703 for a period not to exceed six months from January 3, 1944.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ Henry L. Doherman

/s/ Edward E. Keller

/s/ Malcolm Ericsson

Commissioners.

Dated at Denver, Colorado
this 6th day of January 1944.

(Decision No. 21810)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
LEONARD GRAY)
Craig,)
Colorado)
)

PERMIT NO. C-417

January 8, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from ~~Leonard Gray~~ of Craig, Colorado, requesting that his Permit No. C-417 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-417, heretofore issued to Leonard Gray, Craig, Colorado, be, and the same is hereby, declared cancelled effective January 1, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 8th day of January, 1944

(Decision No. 21811)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
RICHARD JAMES TOOLE) PERMIT NO. C-3732
Craig,)
Colorado.)
)

January 8, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Richard James Toole of Craig, Colorado, requesting that his Permit No. C-3732 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-3732, heretofore issued to Richard James Toole, Craig, Colorado be, and the same is hereby, declared cancelled effective December 29, 1943.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Thomas

Commissioners.

Dated at Denver, Colorado,

this 8th day of January, 1944

(Decision No. 21812)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
A. A. WHITTENBURG)
Box 442)
Gunnison, Colorado.)
)

PERMIT NO. C-9386

January 8, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from A. A. Whittenburg, of Box 442, Gunnison, Colo., requesting that his Permit No. C-9386 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-9386, heretofore issued to A. A. Whittenburg, Box 442, Gunnison, Colorado, be, and the same is hereby, declared cancelled effective January 3, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 8th day of January, 1944

(Decision No. 21813)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
LAS VEGAS WHOLESALE LIQUOR CO) PERMIT NO. C-10286
101 Bridge St.)
Las Vegas, New Mexico.)
)

January 8, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Las Vegas Wholesale Liquor Co. of 101 Bridge St., Las Vegas N. M., requesting that his Permit No. C-10286 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-10286, heretofore issued to Las Vegas Wholesale Liquor Co., 101 Bridge St. Las Vegas, New Mexico, be, and the same is hereby, declared cancelled effective December 1, 1943.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 8th day of January, 1944

(Decision No. 21814)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
JOHN CIMINO) PERMIT NO. A-1854
Rt. 1 Box 138)
Colorado Springs, Colo.)
)

January 8, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from John Cimino of Rt. 1 Box 138, Colo. Springs, Colo, requesting that his Permit No. A-1854 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. A-1854, heretofore issued to John Cimino, Rt. 1 Box 138, Colorado Springs, Colorado, be, and the same is hereby, declared cancelled effective December 23, 1943.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 8th day of January, 1944

(Decision NO. 21815)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

*****

RE MOTOR VEHICLE OPERATIONS OF)
MILLARD D. YOUNG, 919 SOUTH WEBER) CASE NO. 31318-Ins.
STREET, COLORADO SPRINGS, COLORADO,)
- - - - - - - - - - - - - - - - - - -

January 8, 1944.

S T A T E M E N T

By the Commission:

On December 8, 1943, Private Permit B-2335 and Commercial Permit C-1031 were revoked by the Commission for failure to have on file the necessary insurance required by law.

It now appears that said insurance was in effect and on file, but through error was not properly credited to the above permits. Request has been made to reinstate said permits.

As it appears that the necessary insurance required by law and our rules and regulations was at all times on file with the Commission and no lapse occurred in connection with same, the Commission is of the opinion, and so finds, that said request should be granted.

O R D E R

IT IS ORDERED:

That our order of December 8, 1943, be, and the same is hereby, set aside, and said permits B-2335 and C -1031 be, and the same are hereby, reinstated, effective as of December 8, 1943.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 8th day of January, 1944.

BH

(Decision No. 21816)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE PROPOSED CHANGES IN THE RATES ON PETROLEUM AND PETROLEUM PRODUCTS IN BULK IN TANK TRUCKS BETWEEN POINTS WITHIN THE STATE OF COLORADO VIA THE LINE OF WILMA L. MARKLEY AND S. A. MARKLEY, DOING BUSINESS AS M. & M. TRUCK COMPANY.	)	INVESTIGATION AND SUSPENSION DOCKET NO. 252

January 8, 1944

S T A T E M E N T

By the Commission:

By schedules filed to become effective on the 10th day of December, 1943, respondent, Wilma L. Markley and S. A. Markley, doing business as M. & M. Truck Company, proposed certain increases in rates for the intrastate transportation of petroleum and petroleum products.

Upon its own motion, without formal pleading, the Commission suspended the operation of the said schedules until the 7th day of April, 1944.

On January 7, 1944, the Commission received an application from respondent requesting authority to withdraw and cancel the tariff containing the increased schedules of rates now under suspension in this proceeding and to continue in effect the same rates which were in effect prior to the proposed changes, upon one day's notice to the Commission and to the public.

Under special permission number 12457, dated January 7, 1944, the Commission authorized the cancellation of said tariff, and under special permission number 12458, dated January 7, 1944, it authorized the Colorado Motor Carriers Association, as Agent, to cancel its Supplement, wherein it proposed to cancel said respondent as a participating carrier in its tariff.

By Supplement No. 2 to Wilma L. Markley and S. A. Markley, doing business as M. & M. Truck Compan, Motor Freight Tariff No. 2, Colo. P.U.C. No. 2, and Supplement No. 6 to Colorado Motor Carriers Association Motor Freight Tariff No. 3, Colo. P.U.C. No. 3, the changes have been published to become effective January 10, 1944, thus eliminating the cause of action in this proceeding.

O R D E R

IT IS ORDERED, That the order heretofore entered in this proceeding suspending the operation of said schedules, be, and it is hereby, vacated and set aside as of January 10, 1944, and that this proceeding be discontinued.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 8th day of January, 1944.

JH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
PERCY KLINGINSMITH)
Bushnell,) P U C NO. 325
Nebraska.)

January 11, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named certificate holder, requesting that P U C No. 325 be suspended for a period of six months from December 30, 1943.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That Percy Klinginsmith of Bushnell, Nebraska be, and he is hereby authorized to suspend his operations under Certificate No. 325 for a period of not to exceed six months from December 30, 1943.

That unless said Percy Klinginsmith shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said Certificate, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to Certificate holders, said Certificate, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver Colorado
this 11th day of January 1944.

(Decision No. 21818)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
FRED W. REYNOLDS, DOING BUSINESS) PERMIT NO. A-35
AS "GRAND COUNTY TRANSPORTATION",)
KREMMLING, COLORADO.)

January 12, 1944.

S T A T E M E N T

By the Commission:

By Decision No. 21101, on July 1, 1943, the Commission authorized Fred W. Reynolds, doing business as "Grand County Transportation", to suspend his operations under Permit No. A-35 for a period of six months from July 1, 1943, with reinstatement proviso.

On December 21, 1943, Mr. Reynolds informed the Commission that under said permit he had filed Customer List, Description of Equipment, and the necessary insurance to place permit in good standing. He asked that it be reinstated on our records.

After After careful consideration of the record, the Commission is of the opinion, and finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That Permit No. A-35 be, and it hereby is, reinstated and restored to active status, as of December 21, 1943.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ Henry A. Alderman

Edward E. Keller

Malcom Erickson

Commissioners

Dated at Denver, Colorado,
this 12th day of January, 1944.

hs

Original

(Decision No. 21819)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF LUCILLE MULKEY, ADMINISTRATRIX OF THE ESTATE OF HOMER L. MULKEY, DOING BUSINESS AS "MULKEY TRANSFER & STORAGE COMPANY", WALSENBURG, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 445 TO CHARLES DUSSART, DOING BUSINESS AS "DUSSART TRUCK LINE", TRINIDAD, COLORADO.	APPLICATION NO. 1482-A

January 12, 1944.

Appearances: Ethel Stacy, Esq., Walsenburg, Colorado, for applicant;
Charles Dussart, East Main St., Trinidad, Colorado, pro se;
James Couey for Couey Storage and Transfer, Trinidad, Colorado;
Angelo Baudino, Aguilar, Colorado pro se.

S T A T E M E N T

By the Commission:

On December 18, 1929, by Decision No. 2664, James S. Mulkey and Homer L. Mulkey, co-partners, doing business as "Mulkey Transfer and Storage Company", were granted a certificate of public convenience and necessity to operate a call and demand motor vehicle common carrier service, consisting of a transfer, moving and general cartage business in the City of Walsenburg and in the Counties of Huerfano and Las Animas in the State of Colorado, and for occasional service throughout the State of Colorado in each of the counties thereof, with the provisos that for the transportation of commodities other than household goods between points served singly or in combination by scheduled carriers, applicants should charge rates which in all instances should be at least twenty percent higher than those charged by carriers operating on schedule for the same service; that they should not operate on schedule between any points; that, except by authority of the Commission, they should not establish a branch office or have an agent employed in any town or city other than Walsenburg for the

purpose of developing business.

On October 25, 1943, upon application of Mrs. Homer L. Mulkey she having represented that her husband died on October 18, 1943, said certificate was suspended for a period of six months from October 25, 1943.

On December 7, 1943, application was filed by Lucille Mulkey, as Administratrix of the Estate of Homer L. Mulkey, deceased, for reinstatement of PUC No. 445, and for authority to sell said certificate to Charles Dussart, doing business as "Dussart Truck Line."

At the hearing, in Trinidad, Colorado, on December 27, 1943, it developed that James S. Mulkey, father of Homer L. Mulkey, died many years prior to the death of said Homer L. Mulkey; that said Homer L. Mulkey succeeded to the business and continued to operate it as "Mulkey Transfer and Storage Company", without having said operating rights formally transferred to him; that the Estate of said Homer L. Mulkey was probated in the County Court of Huerfano County; that said Court, upon petition of Lucille Mulkey, Administratrix, entered its order on December 24, 1943, authorizing and directing the Administratrix to sell said certificate; that said Administratrix has contracted to sell certificate to Charles Dussart, doing business as "Dussart Truck Line", for the sum of Six Hundred Dollars ($600.00); that there are no outstanding unpaid obligations against the certificate; that the money will be paid to the said Administratrix and disbursed under direction of said Probate Court.

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

After careful consideration of the record, the Commission is of the opinion, and finds that PUC No. 445 should be reinstated, and transfer authorized.

O R D E R

IT IS ORDERED:

That PUC No. 445 should be, and the same hereby is, reinstated.

That Lucille Mulkey, as Administratrix of the Estate of Homer L. Mulkey, deceased, doing business as "Mulkey Transfer and Storage Company", he, at the time of his decease, being the surviving partner of the firm of James S. Mulkey and Homer L. Mulkey, doing business as "Mulkey Transfer and Storage Company", be, and she hereby is, authorized to transfer certificate of public convenience and necessity No. 445, with authority as set forth in Decision No. 2664, to Charles Dussart, doing business as "Dussart Truck Line", Trinidad, Colorado.

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

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 12th day of January, 1944.

hs

(Decision No. 21820)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JOSEPH CASSIO, 1205 ARIZONA STREET, TRINIDAD, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 6469
SUPPLEMENTAL ORDER.

January 12, 1944.

Appearances: W. H. Haxby, 1205 Alta St., Trinidad, Colorado, for applicant.

S T A T E M E N T

By the Commission:

On October 30, 1943, by Decision No. 21518, the Commission entered its decision and order, granting a certificate of public convenience and necessity to Joseph Cassio to transport:

> passengers as a common carrier by motor vehicle for hire between Trinidad and Tercio and intermediate points.

Upon receipt of said decision and order, applicant filed petition with the Commission, asking to reopen said matter, and for leave to amend his application to include the right to transport light parcels and express matter in packages of not to exceed fifty pounds each, and baggage, milk and cream, between Trinidad and Tercio, with the right to serve all intermediate points.

The application for rehearing was granted, the amendment to the application was permitted, and said matter was set for hearing, and heard, in Trinidad, Colorado, on December 27, 1943.

At the hearing, it appeared that passengers hauled by applicant frequently have baggage, which ordinarily is handled without extra charge; that Phillip Sandoval (PUC No. 708) operates a common carrier freight service on schedule and on call and demand between the points which

applicant seeks to serve; that, on account of O.D.T. regulations, said Sandoval is unable to operate every day between all points on his route, and that, at times, he serves Tercio only twice a week; that stores at Weston, Segundo, Valdez and Tercio require daily shipments of fresh fruit, vegetables, butter, and other perishable commodities, drugs, small motor parts, bread, cakes, pies, and similar commodities which are light in weight; that Sandoval has no objection to the issuance of authority, as limited in applicant's original and amended petitions, upon condition that applicant does not transport meat and packing house products under said authority; that transportation of the commodities mentioned shall be limited to express shipments, and upon rates based on charges ordinarily made for handling express.

After careful consideration of the record, the Commission is of the opinion, and finds, that public convenience and necessity require the proposed amended common carrier service of applicant, and that certificate of public convenience and necessity should issue therefor.

O R D E R

IT IS ORDERED:

That public convenience and necessity require the proposed amended common carrier service of applicant on schedule for the transportation of passengers daily, except Sunday, between Trinidad, Colorado, and Tercio, Colorado, and all intermediate points, over State Highway No. 12 to the point of junction with State Highway No. 111, and thence over said State Highway No. 111 to Tercio, and except or hereafter provided, the transportation on schedule in his passenger equipment, only, of light parcels and express matter in packages of not to exceed fifty pounds each, and baggage, milk and cream, between Trinidad and Tercio, with the right to serve all intermediate points, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

Applicant shall not, under the authority herein granted, transport fresh meat or packing house products between points served by Sandoval Truck Line, on schedule.

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

The 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.

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

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 12th day of J anuary, 1944.

hs

(Decision No. 21821)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

IN THE MATTER OF THE APPLICATION OF)
ODELL COFFEY, GENERAL DELIVERY,)
DOVE CREEK, COLORADO, FOR A CLASS) APPLICATION NO. 6540-PP
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

January 13, 1944

S T A T E M E N T

By the Commission:

On September 21, 1943, Odell Coffey, of Dove Creek, Colorado, filed his application with this Commission for authority to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in said application.

The Commission is now in receipt of a communication from applicant, requesting that said application be dismissed.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be dismissed without prejudice.

O R D E R

IT IS ORDERED:

That the above-styled application be, and the same hereby is, dismissed without prejudice.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 13th day of January, 1944.

BH

(Decision No. 21822)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
TEMPLE SUPPLY CO) PERMIT NO. C-647
504 Bank Bldg.)
Trinidad Colorado)
)

January 18, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Temple Supply Co. of 504 Bank Bldg. Trinidad Colo, requesting that his Permit No. C-647 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-647, heretofore issued to Temple Supply Co. 503 Bank Bldg. Trinidad, Colorado be, and the same is hereby, declared cancelled effective December 11, 1943.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thurman

Edward J. Bradley

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 18th day of January, 1944.

(Decision No. 21823)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
BRUCE B. ANDREWS)
Hudson,) PERMIT NO. C-3788
Colorado.)
)
)

January 18, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Bruce B. Andrews of Hudson, , Colorado, requesting that his Permit No. C-3788 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-3788, heretofore issued to Bruce B. Andrews, Hudson, Colorado, be, and the same is hereby, declared cancelled effective July 24, 1943.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry O. Shawcroft

Edward C. Keller

Malcolm Erickson

Commissioners.

Dated at Denver, Colorado,

this 18th day of January, 19 44.

(Decision No. 21824)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
THE DENVER BARBERS' SUPPLY CO)
1628 Glenarm Place)
Denver, 2, Colorado.)
)

PERMIT NO. C-4033

January 18, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from The Denver Barbers' Supply Co. of 1628 Glenarm Place Denver 2 Colo, requesting that his Permit No. C-4033 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-4033, heretofore issued to The Denver Barbers' Supply Co. 1628 Glenarm Place, Denver, Colorado be, and the same is hereby, declared cancelled effective August 7, 1943.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry R. Shannon

Edward J. Keller

Malcom Ericson

Commissioners.

Dated at Denver, Colorado,

this 18th day of January, 1944

(Decision No. 21825)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
JOHN E. BEEBE d/b/a)
THE BEEBE CO)
1844 S Broadway)
Wichita Kansas)

PERMIT NO. C-4837

January 18, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from John E. Beebe d/b/a The Beebe Co. of 1844 S Broadway Wichita, Kansas, requesting that his Permit No. C-4837 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-4837, heretofore issued to John E. Beebe d/b/a The Beebe Co., 1844 S. Broadway, Wichita, Kansas be, and the same is hereby, declared cancelled effective April 24, 1943.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomson

Edward D. Keeler

Malcolm Ericson

Commissioners.

Dated at Denver, Colorado,

this 18th day of January, 1944

(Decision No. 21826)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
FRED M. HINST D/b/a)
ALCOTT COAL & ICE CO)
3560 Tennyson)
Denver, 12, Colorado)

PERMIT NO. C-4922

January 18, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Fred M. Hinst d/b/a Alcott Coal & Ice Co of 3560 Tennyson St. Denver 12 Colo., requesting that his Permit No. C-4922 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-4922, heretofore issued to Fred M. Hinst d/b/a/ Alcott Coal & Ice Co. 3560 Tennyson Denver 12, Colo be, and the same is hereby, declared cancelled effective January 1, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thurman

Edward E. Conelly

Malcom Ericson

Commissioners.

Dated at Denver, Colorado,

this 18th day of January, 1944

(Decision No. 21827)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
DENVER PRESSED BRICK CO) PERMIT NO. C-6945
1244 Detroit St.)
Denver, 6, Colorado)
)

January 18, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Denver Pressed Brick Co. (a Corp.) of 1244 Detroit St., Denver 6 Colorado, requesting that his Permit No. C-6945 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-6945, heretofore issued to Denver Pressed Brick Co. (a Corp.) 1244 Detroit St. Denver 6, Colorado be, and the same is hereby, declared cancelled effective January 3, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry P. Thomas

Edward E. Meeker

Malcolm Ericsson

Commissioners.

Dated at Denver, Colorado,

this 18th day of January, 1944

(Decision No. 21828)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
DONALD BAKEL)
4570 Stuart St.)
Denver 12 Colorado)
)

PERMIT NO. C-7317

January 18, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Donald Bakel of 4570 Stuart, Denver 12 Colorado, requesting that his Permit No. C-7317 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-7317, heretofore issued to Donald Bakel, 4570 Stuart St., Denver 12, Colorado, be, and the same is hereby, declared cancelled effective January 4, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomson

Edward D. Mueller

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 18th day of January, 1944

(Decision No. 21829)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
S. F. VAN DYKE)
324 E Cucharras)
Colorado Springs, Colo.)
)

PERMIT NO. C-12262

January 18, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from S. F. Van Dyke of 324 E Cucharras, Colorado Springs, Colo requesting that his Permit No. C-12262 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12262, heretofore issued to S. F. Van Dyke, 324 E Cucharras, Colorado Springs, Colorado, be, and the same is hereby, declared cancelled effective January 4, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomas

Edward C. Keller

Malcolm Erickson

Commissioners.

Dated at Denver, Colorado,

this 18th day of January, 1944

(Decision No. 21830)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
LESTER RIGGINS)
Monte Vista) PERMIT NO. C-14303
Colorado)
)

January 19, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Lester Riggins of Monte Vista, Colorado, requesting that his Permit No. C-14303 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14303, heretofore issued to Lester Riggins, Monte Vista, Colorado be, and the same is hereby, declared cancelled effective December 7, 1943.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 19th day of January, 1944

(Decision No. 21831)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
PHIL C. SMITH (Deceased)) PERMIT NO. C-14345
Glenwood Springs,)
Colorado)
)

January 19, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Mrs. Phil C. Smith widow of Phil C. Smith of Glenwood Springs, Colorado requesting that his Permit No. C-14345 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14345, heretofore issued to Phil C. Smith (Deceased) Glenwood Springs, Colorado be, and the same is hereby, declared cancelled effective January 7, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ Henry D. Sherman

/s/ Edward E. Bewley

/s/ Malcolm Ericsson

Commissioners.

Dated at Denver, Colorado,
this 19th day of January, 1944

(Decision No. 21832)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
ARTHUR REITZ) PERMIT NO. C-14411
Iliff)
Colorado)
)

January 19, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Arthur Reitz of Iliff, Colorado, requesting that his Permit No. C-14411 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14411, heretofore issued to Arthur Reitz, Iliff, Colorado be, and the same is hereby, declared cancelled effective January 5, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 19th day of January, 1944

(Decision No. 21833)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
BENNIE SAILSBERY d/b/a)
Texas Company)
719 State)
Ft. Morgan, Colorado)

PERMIT NO. C-14546

January 19, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Bennie Sailsbery of 719 State, Ft. Morgan Colorado requesting that his Permit No. C-14546 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14546, heretofore issued to Bennie Sailsbery d/b/a 719 State, Ft. Morgan, Colorado be, and the same is hereby, declared cancelled effective January 6, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 19th day of January, 1944

(Decision No. 21834)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
PAUL APODACA d/b/a)
Del Rio Gro Gas & Oil Co.)
402 College Ave.)
Trinidad, Colorado)

PERMIT NO. C-12574

January 19, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Paul Apodaca d/b/a Del Rio Gro Gas & Oil Co. 402 College Ave Trinidad, Colo., requesting that his Permit No. C-12574 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12574, heretofore issued to Paul Apodaca d/b/a Del Rio Gro Gas & Oil Co. 402 College Ave Trinidad Colo, and the same is hereby, declared cancelled effective January 7, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 19th day of January, 1944

(Decision No. 21835)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
GEORGE DIGGS)
Box 96)
Donnelly Idaho)
)

PERMIT NO. C-14810

January 19, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Mrs. George Diggs(wife of George Diggs, now in army) Box 96, Donnelly Idaho, requesting that his Permit No. C-14810 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14810, heretofore issued to George Diggs (now in army) Box 96 Donnelly Idaho be, and the same is hereby, declared cancelled effective January 2, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 19th day of January, 1944

(Decision No. 21836)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
JAY FORSYTH)
Santa Cruz)
New Mexico)
)

PERMIT NO. B-1767-I

January 19, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Jay Forsyth of Santa Cruz, New Mexico, requesting that his Permit No. B-1767-I be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-1767-I, heretofore issued to Jay Forsyth, Santa Cruz, New Mexico be, and the same is hereby, declared cancelled effective June 7, 1943.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 19th day of January, 1944

(Decision No. 21837)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
A. B. RAPP)
Sidney)
Nebraska)
)

PERMIT NO. B-2886-I

January 19, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from A. B. Rapp of Sidney, Nebraska, requesting that his Permit No. B-2886-I be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-2886-I, heretofore issued to A. B. Rapp, Sidney, Nebraska, be, and the same is hereby, declared cancelled effective January 5, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 19th day of January, 1944

(Decision No. 21838)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
DONALD BAKEL)
4570 Stuart St.)
Denver, 12, Colorado)
)

PERMIT NO. B-2945

January 19, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Donald Bakel of 4570 Stuart St., Denver 12 Colo., requesting that his Permit No. B-2945 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-2945, heretofore issued to Donald Bakel, 4570 Stuart St., Denver, 12, Colorado, be, and the same is hereby, declared cancelled effective January 4, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 19th day of January, 1944

(Decision 21839)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF THE LA VETA LIGHT HEAT AND POWER COMPANY, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AND FOR AUTHORITY TO EXTEND ITS LINES AND SERVICES.

APPLICATION NO. 6529

January 18, 1944.

Appearances: Ralph T. Hunter, Esq., Trinidad Colorado, for applicant;
J. W. Hawley, Esq., Trinidad, Colorado, for Trinidad Electric Transmission, Railway and Gas Company.

S T A T E M E N T

By the Commission:

This is an application for a certificate of public convenience and necessity, authorizing applicant to extend its lines and services to and within the area outlined by heavy blue lines on Exhibit "B", being a map attached to the application filed herein and by reference made a part hereof, which area is more particularly described as:

> beginning at the NE 1/4 corner of the NW 1/4 of Sec. 6, T 29 S, R 67 W, thence south 1 mile to the SE 1/4 corner of the SW 1/4 of said Sec. 6, thence SW to the SE 1/4 corner of the NE 1/4 of Sec. 12, T 29 S, R 68 W, thence south to the SE corner of Sec. 36, T 29 S, R 68 W, thence west to the NE corner of Sec. 3, T 30 S, R 68 W, thence south to the SE corner, Sec. 15, T 30 S, R 68 W, thence west to the SE corner, Sec. 18, T 30 S, R. 68 W, thence south to the SE corner Sec. 30, T 30 S, R 68 W, thence west to the SE corner, Sec. 26, T 30 S, R 69 W, thence south to the SE corner Sec. 35, T 30 S, R 69 W, thence west to the SE corner Sec. 34, T 30 S, R 69 W, thence south to the SE corner, Sec. 3, T 31 S, R 69 W, thence west to the SW corner, Sec. 3, T 31 S, R 69 W, thence north to the NW 1/4 corner of the SW 1/4 of Sec. 3, T 29 S, R 69 W at Abeyta Creek, thence easterly along Abeyta Creek to point of beginning

and to exercise certain franchise rights granted it by the Board of County Commissioners of the County of Huerfano, State of Colorado, said rights being granted on November 17, 1943 by resolution adopted by said B oard on

said day, and spread upon its records, said resolution being Exhibit "C" attached to the application herein.

The matter was set for hearing, and heard, in Trinidad, Colorado, on December 27, 1943, after due notice to all parties in interest.

At the hearing, it appeared that applicant is a corporation, organized and existing and doing business under the laws of the State of Colorado; that it was incorporated on the 24th day of June, 1908, and among other things, is authorized to manufacture, generate, buy, sell and accumulate, store, transmit, furnish, and distribute electric current for light, heat, and power, and to operate power plants and generating systems, and to erect pole lines to transmit said electrical energy; that until the year 1916, its energy was generated by a hydro power plant, said plant being a single phase plant of about one thousand volts capacity; that the Town of La Veta and people residing immediately adjacent thereto originally were served by the plant; that, from time to time, extensions were made into portions of the territory which applicant seeks to serve under the extension here sought; that certificate was not obtained from the Commission because service was instituted prior to the effective date of the Public Utilities Act; that about the year 1916, applicant made arrangements to purchase energy from Trinidad Electric Transmission Railway and Gas Company, and has continued to obtain energy from said company to date; that it does not have any generating equipment; that said energy is delivered at a substation located about one-half mile north of La Veta; that neither said Trinidad Company nor any utility other than applicant operates in the territory for which certificate is sought; that when said company was organized, it obtained a twenty-five-year franchise from the Town of La Veta, which franchise expired about ten years ago; that applicant is now serving in La Veta without franchise; that it has approximately 280 customers in La Veta, and serves a number of ranches, two summer resorts, and other customers (21 in all) outside of La Veta; that its investment in territory outside the town amounts to approximately Two Thousand Dollars.

It also appeared that the resolution heretofore referred to was regularly adopted by the Board of County Commissioners of Huerfano County and gives and grants, subject to certain restrictions, to The La Veta Light Heat and Power Company, a Colorado corporation, its successors and assigns, a right-of-way and easement over, along, across, and upon any and all existing or proposed county and/or public highways in Huerfano County, Colorado, that are within or adjoin the territory described in Exhibit "B", and also over, along, and across public highway between La Veta and the Huajatolla, La Veta and Cucharas Camps, La Veta and Sulphur Springs, and LaVeta and the head of Indian Creek, as more particularly set forth in said resolution, being Exhibit "C" attached to the application, reference to which is hereby made.

It also appeared that applicant is a public utility within the meaning of the Public Utilities Act of the State of Colorado, and that no other public utility has any plant or facilities for the generation of electrical energy or any transmission lines for the distribution of such energy within the territory sought to be served by applicant, and that applicant is the only company that, at this time, is in a position to offer the rural inhabitants of said territory the service which it here seeks authority to furnish.

After careful consideration of the record and the evidence, the Commission is of the opinion, and finds, that public convenience and necessity require the proposed service of applicant and the exercise by applicant of the franchise rights granted to it by the Board of County Commissioners of Huerfano County, Colorado.

O R D E R

IT IS ORDERED:

That public convenience and necessity require the proposed service of applicant and the exercise by applicant of the franchise rights granted to it by the Board of County Commissioners of Huerfano County,

Colorado, by resolution adopted November 17, 1943, to render and furnish service for the distribution of electrical energy to the residents of the area mentioned and described in the Statement herein, and to build, own, operate, and improve said transmission lines and distribution systems, and to make extensions thereto, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

Applicant shall file its rate schedules, rules and regulations, set up its books and accounts in agreement with the Uniform Classification of Accounts, and bring all its practices as to testing, consumers' deposits and operations records of meters, transformers and complaints into compliance with the Commission's requirements, within twenty days from date.

Failure of applicant to comply as above ordered shall nullify and automatically revoke at the end of said period the authorization herein granted, but subject to any further action or modification the Commission may order.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

I D Thomson

Commissioners

Dated at Denver, Colorado
this 18th day of January, 1944.

hs

Original

(Decision No. 21840)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ROY WOODWORTH, DOING BUSINESS AS PARKER TRANSFER, PARKER, COLORADO, TO TRANSFER A PORTION OF CERTIFICATE NO. 37 TO MERLE CARLSON, PARKER, COLORADO.	APPLICATIONS NOS. 307-AAA-AAA, 1833-A, 1833-AA

January 13, 1944

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

S T A T E M E N T

By the Commission:

On May 6, 1925, Decision No. 838, Lester Augustus was granted a certificate of public convenience and necessity No. 37, which authorized motor vehicle operations in the transportation of freight between Parker and Denver, including the transportation of milk in an undescribed area.

On January 16, 1929, by Decision No. 2048, the said Lester Augustus was authorized to transfer said certificate to Charles L. Walker. Thereafter, on October 30, 1930, Decision No. 3126, the said Charles L. Walker was authorized to transfer to Charles H. O'Brien that portion of said certificate of public convenience and necessity No. 37 which authorized the transportation of freight between Denver and Parker and intermediate points.

On February 17, 1938, in Application No. 1832, Decision No. 4058, the territory which the said Charles H. O'Brien was authorized to serve under said Certificate No. 37 was defined as follows:

> "Beginning at the city limits of the City and County of Denver, at a point which intersects said city limits 1 mile east of the Denver-Parker Highway; thence along the line paralleling said highway drawn at a distance of 1 mile east thereof, to a point where said parallel line crosses the Arapahoe-Douglas County line; thence east to the NW

corner of Sec. 6, T. 6 S., R. 65 West, thence to the SW corner of said Sec. 6; thence SW through the Town of Parker to the SW corner of Sec. 23, T. 6 S., R. 67 West; thence running NE 5 miles more or less to the NW corner of Sec. 3, T. 6 S., R. 67 West; thence running east to the NE corner of Sec. 1, T. 6 S., R. 67 West; thence running N. 2 miles to the NW corner of Sec. 30, T. 5 S., R. 66 W.; thence east 1 mile to the SE corner of Sec. 19, T. 5 S., R. 67 W; thence N. one mile to the NE corner of Sec. 19; thence running along said Denver-Parker Road to a point where said highway intersects the Sec. line between Sections 1 and 12, T. 5 S., R. 67 West; thence W. along section line one-half (1/2) mile more or less to a point where the same intersects Cherry Creek; thence in a northwesterly direction along the channel of Cherry Creek to the city limits of the City and County of Denver."

Said order also authorized the said Chas. H. O'Brien to transport freight other than milk from and to Sullivan and Melvin to and from Denver.

Thereafter, on May 10, 1935, Decision No. 6465, George Croft, doing business as Croft Truck Line, was authorized to transfer certificate of public convenience and necessity issued to him in Application No. 1839 to the said Roy E. Woodworth.

In Application No. 1838, Decision No. 4058, supra, the territory which the said George Croft was authorized to serve under said certificate was defined as follows:

"Beginning at a point where the channel of Cherry Creek intersects the south boundary of Section 21, Twp. 4 S., R 67 W, and thence in a southeasterly direction along the channel of Cherry Creek until the same intersects the section line between Sections 1 and 12, Twp. 5 S, R 67 W; thence east along said section line until the same intersects the Denver-Parker Highway; thence southeasterly along such highway to the northeast corner of Sec. 19, Twp 5 S, R 66 W; thence south one mile to the southeast corner of said Sec. 19; thence west one mile to the southwest corner of said Sec. 19; thence south two miles to the northeast corner of Section 1, Twp. 6 S, R 67 W; thence west two miles to the northwest corner of Section 2, Twp. 6 S, R 67 W; thence north five miles to the southwest corner of Section 2, Twp 5 S, R 67 W; thence west one mile to the southwest corner of Section 3, Twp. 5 S, R 67 W; thence north one mile to the northwest corner of Section 3; thence east one mile to the northwest corner of Section 4, Twp. 5 S, R 67 W; thence north two miles to the southwest corner of Section 21, Twp. 4 S, R 67 W; thence east to the place of beginning,"

and the said Roy E. Woodworth consolidated his operations, including the Croft authority, under Certificate No. 37.

Thereafter, by various conveyances, that portion of said certificate No. 37 which authorized the transportation of freight between Parker and Leaver, and intermediate points, became the property of Roy E. Woodworth, doing business as Parker Transfer. The instant application seeks authority to transfer all of the right, title and interest of the said Roy E. Woodworth in said Certificate No. 37 to Merle Carlson, of Parker, Colorado, save and except that transferor retains the right to transfer livestock and farm products within the area authorized by said certificate.

The evidence disclosed that the consideration of said transfer, including two pieces of equipment, is the sum of $3,500.00, payable $1,500.00 in cash; $1,000.00 at the end of one year, and $1,000.00 at the end of two years.

It was further disclosed that no outstanding obligations exist against the presently conducted operations under said certificate by transferor.

The financial statement of transferee indicates a net worth of approximately $1,300.00.

It was stipulated at the hearing that transferor would retain Certificate No. 37, and that a new number should be issued to transferee for his operations under that portion of the certificate transferred to him.

No protests were interposed to the granting of the authority sought.

After careful consideration of the record, the Commission is of the opinion, and so finds, that transfer should be authorized.

O R D E R

IT IS ORDERED:

That Roy E. Woodworth, doing business as Parker Transfer, be, and he is hereby, authorized to transfer to Merle Carlson, d/b/a "Carlson Milk Transport", all of the presently existing operating rights under certificate of public convenience and necessity No. 37, save and except the authority to transport livestock and farm products, other than milk and cream, within the area authorized, which right transferor retains unto himself.

That transferor shall continue to operate under Certificate No. 37, and a new certificate number shall be given to transferee.

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

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

I D Thorman

Marion Epinson

Commissioners

Dated at Denver, Colorado
this 13th day of January, 1944.

hs

(Decision No. 21841)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DELBERT FARRA, MONTROSE, COLORADO,)
FOR AUTHORITY TO TRANSFER PUC NO.) APPLICATION NO. 3154-A
1068 TO JEAN OURET, MONTROSE, COLO-)
RADO.)

January 19, 1944

Appearances: Jean Ouret, Montrose, Colorado

S T A T E M E N T

By the Commission:

The above matter was heard at Grand Junction, Colorado, on January 4, 1944.

This is an application for reinstatement and transfer by lease, of PUC No. 1068, from Delbert Farra, Montrose, Colorado, to Jean Ouret, Montrose, Colorado.

The records of the Commission disclose that PUC No. 1068, in the name of Delbert Farra, by Decision No. 20899, of date May 8, 1943, was suspended for a period of six months from May 12, 1943, which suspension would have expired on November 12, 1943.

On November 9, 1943, Edward M. Sherman, attorney, at Montrose, Colorado, representing lessee, called the Secretary of the Commission and requested a few additional days within which to submit financial statement and other papers of lessee, so that the certificate of lessor would not be cancelled for failure to reinstate. On the same date, he addressed a letter to the Secretary of the Commission. He was assured by the Secretary that the matter would be held open for a few days, in order to make proper application.

It appeared at the hearing that lessee would operate a two-ton 1941 Dodge Truck with stock rack.

Upon consideration of the record, and statements made at the hearing, the Commission finds that certificate No. 1068, standing in the name of Delbert Farra, should be reinstated, and that lease dated November 9, 1943, attached to Application No. 3154-A, should be approved. The Commission further finds that said lease executed by the parties should be made a part of the record in this matter.

O R D E R

IT IS ORDERED:

That PUC No. 1068 is hereby reinstated.

That lease entered into between Delbert Farra, Montrose, Colorado, and Jean Ouret, Montrose, Colorado, of date November 9, 1943, is hereby approved.

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

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

I D Thomas

Commissioners

Dated at Denver, Colorado,
this 19th day of Jan, 1944.

hs

(Decision No. 21842)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF JOHN H. RIGGLE, 1879 SOUTH PENNSYLVANIA STREET, DENVER, COLORADO.	))))	CASE NO. 31430-Ins. PERMIT NO. B-1755

January 20, 1944

S T A T E M E N T

By the Commission:

On January 3, 1944, in Case No. 31430-Ins., the Commission entered its order revoking Permit No. B-1755 for failure of permittee to keep effective insurance on file.

Proper insurance filing was made by said John H. Riggle on January 7, 1944, and he requests that revocation order be set aside and Permit No. B-1755 reinstated as of January 7, 1944.

After careful consideration of the record, the Commission is of the opinion, and finds, that said request should be granted.

O R D E R

IT IS ORDERED:

That revocation order of date January 3, 1944 be, and the same hereby is, vacated, set aside, and held for naught, and Permit No. B-1755 be, and the same hereby is, reinstated as of January 7, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ I. D. Thomas

/s/ Walter Ellison

Commissioners

Dated at Denver, Colorado,
this 20th day of January, 1944

JH

(Decision No. 21843)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF GEORGE K. WEBER, LITTLETON, COLORADO, FOR AN EXTENSION OF APPLICATION NO. 6391-PP TO INCLUDE THE TRANSPORTATION OF HAY FROM POINTS WITHIN A RADIUS OF 15 MILES OF HOT SULPHUR SPRINGS TO LITTLETON, AND FROM POINTS WITHIN 15-MILE RADIUS OF GREELEY TO LITTLETON; AND LIVESTOCK FROM POINTS WITHIN A RADIUS OF 25 MILES OF BAILEY TO DENVER AND FROM POINTS WITHIN A RADIUS OF 10 MILES OF AULT TO DENVER, COLORADO.	APPLICATION NO. 6391-PP-B

January 20, 1944

S T A T E M E N T

By the Commission:

The instant application was set for hearing at Denver, Colorado, on January 12, 1944. However, when same was called for hearing no appearance was entered on behalf of applicant, although our records disclose that due notice of the time and place of hearing had been mailed to him.

As the Commission is without any word from applicant as to the reason for his failure to appear, we feel, after a careful consideration of the record, that the application should be dismissed without prejudice.

O R D E R

IT IS ORDERED:

That the instant application be, and the same is hereby, dismissed without prejudice.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

I D Newman

Commissioners

Dated at Denver, Colorado,
this 20th day of January, 1944

JH

(Decision No. 21844)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF CLIFFORD J. KEALIHER, 716 INCA ST., DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 6539-PP

January 20, 1944

Appearances: E. F. Anderson, Akron, Colorado, for Akron Truck Line;
A. A. Brooks, Jr., Esq., Denver, and T. A. Stockton, Jr., Esq., Denver, Colorado, for Larson Transportation Company;
H. M. Boyle, Esq., Denver, Colorado, for Chicago, Burlington & Quincy Railroad

S T A T E M E N T

By the Commission:

The instant matter was set for hearing at Denver, Colorado, on January 12, 1944. However, when said application was called for hearing, no appearance was entered on behalf of applicant.

Protestants moved that said application be dismissed for lack of prosecution.

Later in the day, applicant appeared and advised the Commission that he thought the best thing to do was to dismiss the application.

After careful consideration of the record, the Commission is of the opinion, and so finds, that the motion to dismiss should be sustained.

O R D E R

IT IS ORDERED:

That the instant application be, and the same is hereby, dismissed for failure to prosecute.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ D. O. Thurman

/s/ Walter Grimm

Commissioners

Dated at Denver, Colorado,
this 20th day of January, 1944.
JH

(Decision No. 21845)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF S. A. MARKLEY, DOING BUSINESS AS M. & M. TRUCK COMPANY, P. O. BOX 838, DENVER, COLORADO, FOR AUTHORITY TO TRANSFER CERTIFICATE NO. 1246 AND 1246-I TO S. A. MARKLEY AND WILMA L. MARKLEY, DOING BUSINESS AS M. & M. TRUCK COMPANY, P. O. BOX 838, DENVER, COLORADO.

APPLICATION NO. 5783-A
(Amending Dec. 21791)

January 20, 1944

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

S T A T E M E N T

By the Commission:

On January 7, 1944, Decision No. 21791, order was entered authorizing the transfer by S. A. Markley to S. A. Markley and Wilma L. Markley, doing business as M. & M. Truck Company, of Certificate No. 1246-I.

It appears from the application on file in said matter that the parties desired to transfer Certificate No. 1246 as well as 1246-I, but through error in our office Certificate No. 1246 was omitted. We have been requested to rectify said error.

After careful examination of the record, the Commission is of the opinion, and so finds, that said decision should be amended to conform to the facts.

O R D E R

IT IS ORDERED:

That our Decision No. 21791, dated January 7, 1944, be, and the same is hereby, amended to transfer Certificate No. 1246, as well as No. 1246-I.

IT IS FURTHER ORDERED, That, except as herein amended, said original decision shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 20th day of January, 1944
JH

Commissioners

(Decision 21846)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
)
JOSEPH A. SCHNEIDER)
Rt. 1 Box 48)
Morrison, Colorado.)

PRIVATE PERMIT NO B-2592

January 20, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2592 be suspended for a period of six months from January 10, 1944.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That Joseph A Schneider of Morrison, Colorado be, and he is hereby, authorized to suspend his operations under Permit No. B-2592 for a period of not to exceed six months from January 10, 1944.

That unless said Joseph A. Schneider shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado
this 20th day of January 1944.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

* * * * * *

RE MOTOR VEHICLE OPERATIONS OF)
COLORADO EQUIPMENT & HAULAGE CO.)
208 West Las Animas,)
Colorado Springs, Colorado)

PRIVATE PERMIT NO. B-2102

January 20, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2102 be suspended for a period of six months from January 7, 1944.

After careful consideration, the Commission is of the opinion and so finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That Colorado Equipment & Haulage Company, Colorado Springs, Colorado, be, and it is hereby, authorized to suspend its operations under Permit No. B-2102 for a period of not to exceed six months from January 7, 1944.

That unless said Colorado Equipment & Haulage Company shall, prior to the expiration of said suspension period, make a request in writing for the re-instatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado
this 20th day of January 1944.

(Decision 21848)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
THE DENVER PUBLISHING CO.)
1720 Welton St.)
Denver, 2, Colorado.)

PRIVATE PERMIT NO. A-697

January 20, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. A-697 be suspended for a period of six months from January 6, 1944.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That The Denver Publishing Company of 1720 Welton St., Denver, Colorado, be, and it is hereby, authorized to suspend its operations under Permit No A-697 for a period of not to exceed six months from January 6, 1944.

That unless said Denver Publishing Company shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado
this 20th day of January 1944.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * * *

IN THE MATTER OF THE)
APPLICATION OF)
T. W. and C. L. BUTLER)
Alma, Colorado)

APPLICATION NO. 6353-PP

STATEMENT

By the Commission:

On July 6, 1943 by Decision 21112, in Application No. 6353-PP, T. W. and C. L. Butler of Alma, Colorado, were granted authority to operate as Class "A" private carriers by motor vehicle for hire.

The Commission is now in receipt of a communication from said applicants requesting that said authority be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED:

That the authority granted to T. W. and C. L. Butler, in application No. 6353-PP by Decision 21112, be and the same is hereby, declared cancelled.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado
this 20th day of January 1944.

Original

(Decision No. 21850)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * * * * * *

IN THE MATTER OF THE APPLICATION OF GEORGE F. ARCHIBALD, DOING BUSINESS AS LAND MOVING AND STORAGE COMPANY, 610 E. 17TH AVENUE, DENVER, COLORADO, AND J. & D. TRANSFER COMPANY, FOR HIMSELF AND OTHERS SIMILARLY SITUATED FOR EXCEPTION AS TO THE PROVISION OF THE PUBLIC UTILITY ACT, OR A SPECIAL PERMIT THEREUNDER.	)	APPLICATION NO. 6322

January 20, 1944.

Appearances: E. V. Holland, Esq., Denver, Colorado, attorney for applicant;
T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association;
A. A. Brooks, Jr., Esq., Denver, Colorado, for Colorado Transfer and Warehousemen's Association;
T. A. White, Esq., Denver, Colorado, for The Denver and Rio Grande Western Railroad Company and Rio Grande Motor Way, Inc.;
Louis A. Tietgen, Denver, Colorado, for Berkeley Moving and Storage Company;
Harold Swena, Golden, Colorado, pro se.

S T A T E M E N T

By the Commission:

On December 4, 1943, Decision No. 21674 was issued in the above matter. Thereafter, on December 23, 1943, applicant filed a petition for rehearing.

The Commission has carefully considered each and every allegation set forth in said petition for rehearing, and is of the opinion that no good purpose would be served by granting same, as we feel the matters raised by said petition were fully considered and determined in our original decision.

After careful consideration of the record, the Commission is of the opinion, and so finds, that said petition for rehearing should be denied.

O R D E R

IT IS ORDERED:

That petition for rehearing filed in the above matter on December 23,

1943, be, and the same is hereby, denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

I D Sherman

Commissioners

Dated at Denver, Colorado,
this 20th day of January, 1944.

hs

(Decision No. 21851)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF LEONARD GRAY, CRAIG, COLORADO, FOR AUTHORITY TO TRANSFER P.U.C. NO. 880 TO PETE JAUNGO, DOING BUSINESS AS "GRAY TRUCK LINE," CRAIG, COLORADO.) APPLICATION NO. 2825-BB-A

January 20, 1944

Appearances: Marion F. Jones, Esq., Denver, Colorado, for applicants;
Ted White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.

S T A T E M E N T

By the Commission:

That above matter was heard at Grand Junction, Colorado, on January 5, 1944, at 9:30 o'clock A. M.

Leonard Gray, who, heretofore, by Decision No. 7383, was authorized to operate as a common carrier by motor vehicle for hire for the transportation of:

> farm products, including livestock, farm supplies and farm equipment, including household goods from ranch to ranch, from town to ranch, and from ranch to town and shipping points within Moffat County and in that portion of Routt County lying west of the eastern boundary line of Range 88; but no town to town movement along the route of The Larson Transportation Company and the Comet Motor Express, scheduled common carriers, nor within one mile on either side of their routes, nor from Greystone, Sunbeam, Maybell, Massadona, Caisson, Fortification, Great Divide, Hamilton and Axial, without first obtaining the consent of such common carriers; and from and to ranches in said area, to and from places outside of the area, for customers residing within the above described area,

which authority was extended by Decisions Nos. 10564 and 13554 to include the right to transport:

> general commodities from point to point (excluding points served by scheduled line haul motor vehicle common carrier service) in Moffat County and that part of Routt County west of the range line between Ranges 87 and 88, and the transportation of farm products, livestock, farm supplies and equipment and oil well equipment, into and out of points in said area, excluding, however, the transportation of all commodities except livestock and farm products in bulk between points on U. S. Highway N., 40 and within one mile of

either side of said highway, and from and to Greystone, Sunbeam, Maybell, Massadona, Caisson, Fortification, Great Divide, Hamilton and Axial, and also excluding the right to transport livestock from or to Craig, Colorado,

and further extended by Decision No. 17810 to include the right to transport:

emigrant moveables from and to points in Moffat County, and that part of Routt County west of the Range Line between Ranges 87-W and 88-W, on the one hand, and, on the other, to and from that part of Routt County lying east of the range line between Ranges 87-W and 88-W, and the north eight-mile strip of Rio Blanco County, and between points in said Rio Blanco County strip on the one hand, and on the other, that part of Routt County which lies east of the range line between Ranges 87-W and 88-W, and the transportation of livestock and farm products from and to that part of Routt County lying east of the range line between Ranges 87-W and 88-W, to and from points in the State of Colorado, and livestock and farm products from and to the north eight-mile strip of Rio Blanco County, to and from points in the State of Colorado,

herein seeks authority to transfer said operating rights (P.U.C. No. 880) to Pete Jaungo, doing business as "Gray Truck Line," Craig, Colorado.

At the hearing, Leonard Gray testified that he is the owner of P.U.C. No. 880; that the consideration for the transfer is $10,800.00 cash, to be paid upon approval of the transfer by the Commission.

Transferee resides at Craig, Colorado, and the testimony showed that his financial statement is correct.

Transferor desires to transfer road tax deposit to transferee, and transferee intends to operate as "Gray Truck Line."

The Commission finds that the authority sought should be granted.

O R D E R

IT IS ORDERED:

That Leonard Gray, Craig, Colorado, is hereby authorized to transfer all his right, title and interest in and to P.U.C. No. 880 to Pete Jaungo, doing business as "Gray Truck Line," Craig, Colorado.

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

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 20th day of January, 1944

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF WILLIAM R. SCHOENTHALER, 1551 NORTH 12th STREET, GRAND JUNCTION, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 6537-PP

January 21, 1944

Appearances: William R. Schoenthaler, Grand Junction, Colorado, pro se;
Cecil Haynie, Esq., Grand Junction, Colorado, for Oscar Redd;
T. A. White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.;
G. W. Hawthorne, Grand Junction, Colorado, for Gateway Stage Lines.

S T A T E M E N T

By the Commission:

The above matter came on for hearing at Grand Junction, Colorado, on January 4, 1944.

After discussion as to authority desired by applicant, applicant requested that the hearing be vacated, and that he be granted right to amend his application in order to further prosecute it, as in his judgment it seemed best.

The hearing was vacated upon such request.

The Commission finds that applicant should be allowed to amend his application if he so desires, or to request further hearing of the instant application.

O R D E R

IT IS ORDERED:

That applicant is hereby granted authority to amend his applica-

tion, or to request further hearing on the instant application.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

I D Newman

Commissioners

Dated at Denver, Colorado,
this 21st day of January, 1944

JH

(Decision No. 21853)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
WESTERN COMMISSION CO.)
2006-12 Blake St.) PERMIT NO. C-567
Denver, 2, Colorado.)
)

January 24, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Western Commission Co. of 2006-12 Blake St. Denver 2, Colorado, requesting that his Permit No. C-567 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-567, heretofore issued to Western Commission Co., 2006-12 Blake St., Denver, 2, Colorado, be, and the same is hereby, declared cancelled effective January 11, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ Henry D. Thomas

/s/ Edward D. Mueller

/s/ Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 24th day of January, 1944

(Decision No. 21854)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
NATIONAL REFINING CO)
11th & Clark Sts.)
Omaha, Nebraska.)
)

PERMIT NO. C-8270

January 24, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from National Refining Co. of 11th & Clark Sts, Omaha Nebraska, requesting that his Permit No. C-8270 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-8270, heretofore issued to National Refining Co., 11th & Clark St. Omaha Nebraska be, and the same is hereby, declared cancelled effective January 7, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Johnson

Edward D. Keller

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 24th day of January, 1944

(Decision No. 21855)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
Eugene Key)
Rt. 1)
Grand Junction, Colorado.)
)

PERMIT NO. C-8580

January 24, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Eugene Key of Rt. 1, Grand Junction, Colo, requesting that his Permit No. C-8580 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-8580, heretofore issued to Eugene Key , Rt. 1, Grand Junction, Colo., be, and the same is hereby, declared cancelled effective January 8, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomas

Edward D. Mueller

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 24th day of January, 1944.

(Decision No. 21856)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
GLEN FEURT)
825 - 26th St.)
Denver 2 Colorado)
)

PERMIT NO. C-8880

January 24, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Glen Feurt of 825 - 26th St., Denver 2 Colorado, requesting that his Permit No. C-8880 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-8880, heretofore issued to Glen Feurt, 825 - 26th St. Denver, 2, Colorado, be, and the same is hereby, declared cancelled effective January 12, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 24th day of January, 19 44

(Decision No. 21857)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
C. E. Lowder)
Palisade)
Colorado)
)

PERMIT NO. C-9942

January 24, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from C. E. Lowder of Palisade, Colorado, requesting that his Permit No. C-9942 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-9942, heretofore issued to C. E. Lowder, Palisade, Colorado, be, and the same is hereby, declared cancelled effective January 10, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 24th day of January, 1944

(Decision No. 21858)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
CENTRAL MOTOR CO)
105-7 West Coal. Ave.)
Gallup, New Mexico.)
)

PERMIT NO. C-9259

January 25, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Central Motor Co. of 105-7 West Coal Ave. Gallup New Mexico, requesting that his Permit No. C-9259 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-9259, heretofore issued to Central Motor Co. 105-7 West Coal. Ave., Gallup, New Mexico, be, and the same is hereby, declared cancelled effective January 12, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomas

Edward E. Bruce

Malcolm Erickson

Commissioners.

Dated at Denver, Colorado,

this 25th day of January, 1944

(Decision No. 21859)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
FRANK SILVA) PERMIT NO. C-11789
Rt. 1 Box 216)
Canon City, Colorado)
)

January 25, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Frank Silva of Rt. 1 Box 216, Canon City Colorado, requesting that his Permit No. C-11789 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-11789, heretofore issued to Frank Silva, Rt. 1 Box 216, Canon City, Colorado be, and the same is hereby, declared cancelled effective January 13, 1944

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 25th day of January, 1944

(Decision No. 21860)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
H. C. KESSEY)
Victor,)
Colorado)
)

PERMIT NO. C-2814

January 28, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from H. C. Kessey of Victor, Colorado, requesting that his Permit No. C-2814 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-2814, heretofore issued to H. C. Kessey, Victor, Colorado, be, and the same is hereby, declared cancelled effective January 5, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 28th day of January, 1944.

(Decision No. 21861)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
NORFOLK PACKING CO) PERMIT NO. C-10706
Plattsmouth)
Nebraska.)
)

January 25, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Norfolk Packing Company of Plattsmouth, Nebraska, requesting that his Permit No. C-10706 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-10706, heretofore issued to Norfolk Packing Company, Plattsmouth, Nebraska, be, and the same is hereby, declared cancelled effective January 10, 1944

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 25th day of January, 1944

(Decision No. 21862)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
OTTO EMRICH) PERMIT NO. C-12590
Norfolk Livestock Sales Co.)
Norfolk, Nebraska.)
)

January 25, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Otto Emrich (Norfolk Livestock Sales Co. Norfolk Nebraska, requesting that his Permit No. C-12590 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12590, heretofore issued to Otto Emrich, Norfolk Livestock Sales Co., Norfolk, Nebraska, be, and the same is hereby, declared cancelled effective January 8, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 25th day of January, 19 44

(Decision No. 21863)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
M. & M. TRUCK COMPANY)
P. O. Box 838)
Denver, Colorado.)
)

PERMIT NO. C-12822

January 25, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from M & M Truck Company of P O Box 838, Denver Colo, requesting that his Permit No. C-12822 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12822, heretofore issued to M & M Truck Co., P O Box 838, Denver, Colorado, be, and the same is hereby, declared cancelled effective January 11, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Harry S. Johnson

Edward J. Carlson

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 25th day of January, 1944

(Decision No. 21864)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
B. L. BERTRAM) PERMIT NO. C-13678
Cedaredge,)
Colorado)
)

January 26, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from B. L. Bertram of Cedaredge, Colorado, requesting that his Permit No. C-13678 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13678, heretofore issued to B. L. Bertram, Cedaredge, Colorado, be, and the same is hereby, declared cancelled effective January 6, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomson

Edward E. Keller

Malcom Ericson

Commissioners.

Dated at Denver, Colorado,

this 26th day of January, 1944

(Decision No. 21865)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
JAMES MAX JOHNSON)
166 Newton St.)
Denver, 4, Colorado.)
)

PERMIT NO. C-14597

January 26, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from James Max Johnson of 166 Newton St., Denver 4 Colorado, requesting that his Permit No. C-14597 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14597, heretofore issued to James Max Johnson, 166 Newton St., Denver, 4, Colorado, be, and the same is hereby, declared cancelled effective January 14, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ Henry D. Johnson

/s/ Fred E. Sueltz

/s/ Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 26th day of January, 1944.

(Decision No. 21866)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
W. K. COOPER)
1512 E. 5th)
Pueblo, Colorado)
)

PERMIT NO. C-14723

January 26, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from W. K. Cooper of 1512 E. 5th, Pueblo, Colorado requesting that his Permit No. C-14723 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14723, heretofore issued to W. K. Cooper, 1512 E. 5th, Pueblo, Colorado, be, and the same is hereby, declared cancelled effective January 9, 1944

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 26th day of January, 1944

(Decision No. 21867)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
DAVE EDWARDS) PERMIT NO. C-14730
Estes Park)
Colorado)
)

January 26, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Dave Edwards of Estes Park, Colorado, requesting that his Permit No. C-14730 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14730, heretofore issued to Dave Edwards, Estes Park, Colorado, be, and the same is hereby, declared cancelled effective January 12, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Coleman

Edward J. Keller

Malcom Ericksen

Commissioners.

Dated at Denver, Colorado,

this 26th day of January, 1944

(Decision No. 21868)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
ORZA WATERMAN)
1906 E. 6th St.)
Pueblo, Colorado)

PERMIT NO. C-14887

January 26, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Orza Waterman of 1906 E. 6th St., Pueblo, Colo., requesting that his Permit No. C-14887 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14887, heretofore issued to Orza Waterman, 1906 E. 6th St. Pueblo, Colorado, be, and the same is hereby, declared cancelled effective January 13, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 26th day of January, 1944

(Decision 21869)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * * *

IN THE MATTER OF THE APPLICATION OF E. D. BRADFORD, ORDWAY, COLORADO

APPLICATION NO. 6516-PP

January 28, 1944.

S T A T E M E N T

By the Commission:

On December 20, 1943, by Decision 21725, in Application No. 6516-PP, E. D. Bradford of Ordway, Colorado, was granted authority to operate as a Class "B" private carrier by motor vehicle for hire.

The Commission is now in receipt of a communication from said applicant, requesting that said authority be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED:

That the authority granted to E. D. Bradford, in Application 6516-PP by Decision 21725, be, and the same is hereby, declared cancelled effective January 10, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado
this 28th day of January 1944.

(Decision 21870)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * * *

IN THE MATTER OF THE APPLICATION)
OF C. O. CAPPS)
514 Lincoln St.)
Ordway, Colorado) APPLICATION NO 6387-PP

January 28, 1944.

S T A T E M E N T

By the Commission:

On July 31, 1943, by Decision No. 21201, in Application No. 6387-PP C. O. Capps, of Ordway, Colorado, was granted authority to operate as a Class "B" private carrier by motor vehicle for hire.

The Commission is now in receipt of a communication from said applicant, requesting that said authority be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED:

That the authority granted to C. O. Capps, in Application No 6387-PP Decision No 21201, be, and the same is hereby, declared cancelled.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

I T Thurman

Marion Epperson
Commissioner.

Dated at Denver, Colorado
this 28th day of January 1944.

(Decision No. 21871)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

RE MOTOR VEHICLE OPERATIONS OF)
G. E. LEE, ECKERT, COLORADO,) CASE NO. 20662-Ins.
PERMIT NO. B-1984.)

January 26, 1944.

S T A T E M E N T

By the Commission:

On January 11, 1943, the Commission entered an order revoking private permit No. B-1984 for failure to have on file the necessary insurance required by law. It now develops that respondent did in fact have proper paid-up insurance continuously in effect, but through some misunderstanding, same was not filed by the insurance company with the Commission.

Thereafter, respondent paid a $5.00 fee in order to secure reinstatement of said permit. No order of reinstatement has ever been entered, and we have been requested to reinstate said permit and apply the $5.00 fee paid for reinstatement of said permit on the tax account of said respondent.

After careful consideration of the record, the Commission is of the opinion, and so finds, that said request should be granted.

O R D E R

IT IS ORDERED:

That our order of January 11, 1943, be, and the same is hereby, cancelled, and said Permit B-1984 is reinstated, effective as of said date.

That the said G. E. Lee, of Eckert, Colorado, be credited with the sum of $5.00 upon his tax account.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 26th day of January, 1944.

BH

(Decision No. 21872)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

RE MOTOR VEHICLE OPERATIONS OF)
H. J. LEWIS & SON, 3955 ALCOTT) PERMIT NO. C-239
STREET, DENVER, COLORADO.)

January 26, 1944.

S T A T E M E N T

By the Commission:

On October 29, 1943, the above permit was cancelled at the request of H. J. Lewis. The Commission is now in receipt of a communication from the said H. J. Lewis, stating that it was his intention to have said permit cancelled as of January 1, 1943, as his truck had not been in operation since that time. It appears that the cancellation date of said permit would have some bearing upon the amount of insurance that the said H. J. Lewis would be required to pay.

After careful consideration of the record, the Commission is of the opinion, and so finds, that said request should be granted.

O R D E R

IT IS ORDERED:

That our order of October 29, 1943, Decision No. 21522, be, and the same is hereby amended to show that the effective date of the cancellation of Permit No. C-239 was January 1, 1943, instead of October 21, 1943.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 26th day of January, 1944.

BH

(Decision No. 21873)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE FREE OF CHARGE TRANSPORTATION BY THE DENVER AND SALT LAKE RAILWAY COMPANY, OF TWO CARLOADS OF COAL FROM OAK HILLS, COLORADO, TO DENVER, COLO.	))))	MISCELLANEOUS DOCKET NO. 187

January 26, 1944

S T A T E M E N T

By the Commission:

This matter is before the Commission upon a letter from The Denver and Salt Lake Railway Company, by F. J. Toner, its Traffic Manager, dated January 24, 1944, requesting authority to transport two carloads of coal from Oak Hills, Colorado, to Denver, Colorado, free of charge, on account of charity.

The shipments in question have been donated by one of the operators on the line of The Denver and Salt Lake Railway Company, for use of the Denver War Chest Agencies and the Community Chest Office Building.

Section 17, paragraph (c) of The Public Utilities Act provides that the Commission may, by rule or order, authorize carriers to depart from their published tariff rates.

After full consideration of the facts as set forth, the Commission finds that the request should be authorized.

O R D E R

IT IS ORDERED:

That The Denver and Salt Lake Railway Company be, and it is hereby, authorized to protect a free rate on two carloads of coal from Oak Hills, Colorado, to Denver, Colorado, consigned to the Denver War Chest in care of the United Fuel and Equipment Company, Denver, Colorado.

That this order shall not be used as a precednt for other cases of a simibar nature.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

K D Thurman -

Commissioners

Dated at Denver, Colorado,
this 26th day of January, 1944

JH

FORM 1001

Misc. Docket No. 187

Dec 21873
1/26/44

THE DENVER AND SALT LAKE RAILWAY CO.

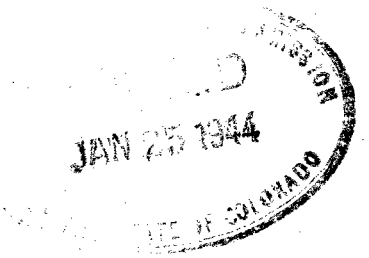
OFFICE OF TRAFFIC MANAGER

DENVER, COLORADO 2

F. J. TONER
TRAFFIC MANAGER

6

January 24, 1944



Public Utilities Commission of the
State of Colorado,
State Office Building,
Denver, Colorado.

Gentlemen:

Two carloads of coal have been donated by one of the operators on our line to the Denver War Chest for use of different Chest Agencies and the Community Chest Office Building. These cars will be consigned to the Denver War Chest in care of the United Fuel & Equipment Company.

In view of the above, we shall be pleased to haul these cars of coal free of charge from the mine at Oak Hills, Colorado to Denver and we request your authority in line with Section 17-C of the Public Utilities Act to grant this free billing.

If consistent, we shall appreciate receiving this authority in duplicate.

Yours truly,

E:a

F. J. Toner
B

(Decision No. 21874)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF COLORADO EQUIPMENT AND HAULAGE COMPANY, BOX 398, COLORADO SPRINGS, COLORADO.)

PERMIT NO. B-2102

January 28, 1944

S T A T E M E N T

By the Commission:

On January 20, by Decision No. 21847, the Commission suspended, for a period of six months from January 7, 1944, Private Carrier Permit No. B-2102.

It now develops that permittee asked to suspend the permit because Ed H. Honnen, who operates Colorado Equipment and Haulage Company, and who also owns Ed H. Honnen Construction Company, for whom said Colorado Equipment and Haulage Company has performed contract hauling, now is a Commander in the United States Navy, stationed in the Azores. He will not return to the United States until the end of the war. His corporations are "marking time." The Construction Company is doing practically no work, and the haulage company likewise is not doing any business, and will not engage in any haulage work until his return because its service is limited to the Ed H. Honnen Construction Company.

Permittee asks that the order heretofore entered herein be vacated and set aside, and that said permit be suspended for the duration of the war and a period of six months thereafter.

After careful consideration of the record, the Commission is of the opinion, and finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That Decision No. 21847 be, and it hereby is, set aside, vacated, and held for naught.

That the Colorado Equipment and Haulage Company, Colorado Springs, Colorado, be, and it hereby is, allowed to suspend operations under Permit No. B-2102 for the duration of the war and a period of six months thereafter.

That unless said Colorado Equipment and Haulage Company shall, prior to expiration of said suspension period, reinstate said permit by filing insurance and otherwise complying with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall stand revoked, without right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 28th day of January, 1944.

mw

(Decision No. 21875)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF MIKE A. NICOLA, RFD 2, INDIANA AVENUE, TRINIDAD, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 6528-PP

January 28, 1944

Appearances: James F. Couey, Trinidad, Colorado, for Couey Transfer and Storage Company;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company.

S T A T E M E N T

By the Commission:

The above-styled matter was heard, pursuant to prior setting, in Trinidad, Colorado, on December 27, 1943, although applicant, after due notice, failed to appear.

Notwithstanding non-appearance of applicant, said application was heard, the records and files being made a part of the record. The matter was taken under advisement.

At the hearing, protestants indicated that they had no objection to the granting of a permit, limited to the transportation of coal from mines in Huerfano and Las Animas Counties to Trinidad and points within a raddius of fifteen miles thereof, and the transportation of mine supplies from supply points within a radius of twenty-five miles of Trinidad to the mine of Frank Jagonik, near Rugby, Colorado.

Subsequent to the hearing, by letter, applicant asked that his application be amended to show a request for such authority.

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

After careful consideration of the record, the Commission is of the opinion, and finds, that a Class "B" permit, limited to the authority heretofore set forth, should issue to applicant.

O R D E R

IT IS ORDERED:

That Mike A. Nicola, Trinidad, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in Huerfano and Las Animas Counties to Trinidad and points within a radius of fifteen miles thereof, and the transportation of mine supplies from supply points within a radius of twenty-five miles of Trinidad to the mine of Frank Jagonik, near Rugby, Colorado.

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

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

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

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

I D Bowman

Commissioners

Dated at Denver, Colorado,
this 28th day of January, 1944.

mw

(Decision No. 21876)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF W. M. MOORE, 2660 QUITMAN STREET, DENVER, COLORADO, FOR AUTHORITY TO REINSTATE AND TRANSFER PERMITS NOS. B-2385 AND B-2385-I TO G. W. HAWTHORNE, 848 WHITE AVENUE, GRAND JUNCTION, COLORADO.	APPLICATION NO. 5128-PP-BBB-BB-A

January 28, 1944.

Appearances: W. M. Moore, 2660 Quitman St., Denver, Colorado, pro se;
G. W. Hawthorne, Grand Junction, Colorado, pro se;
T. A. White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.

S T A T E M E N T

By the Commission:

W. M. Moore, doing business as Colorado-Nebraska Transport, transferor in the instant case, was originally granted Interstate Permit No. B-2385-I, which authorized the transportation of freight as a private carrier in interstate commerce between all points in the State of Colorado and the Colorado boundary lines where all highways cross the same.

Thereafter, on October 16, 1939, Decision No. 14173, said permit was extended to include the right to transport coal in intrastate commerce from the Somerset Mine in Montrose County and the Streeter Mine in Rio Blanco County to Grand Junction, Colorado.

Thereafter, on January 4, 1940, Decision No. 14582, applicant was authorized to extend his operations under said permit to include the transportation of:

> "Seeds, feeds, grain, potted plants, and seed store merchandise, from and to any point in Colorado to and from Grand Junction, Colorado, for the Mile High Seed Company, only; provided, however, that applicant shall not conduct any operation in competition with the Uintah Stage Lines between any towns now served by said company."

Thereafter, on May 22, 1941, Decision No. 17158, applicant was authorized to extend his operations under said permit to include the transportation of:

> "Ore from mines within a radius of fifty miles of Grand Junction, and within a radius of ten miles of Dove Creek, and within a radius of ten miles of Paradox, on the one hand, to mills or shipping points at Uravan, Loma, Gateway, and Grand Junction, on the other hand, including the right to transport grocery supplies and Diesel engine supplies from Uravan, only, to mines located within the above described areas."

Thereafter, on December 13, 1941, Decision No. 18086, applicant was authorized to extend his operations under said permit to include the right to transport:

> "Livestock, farm products, and wool, ore, mine and milling supplies and equipment, and furniture, from point to points within a 20-mile radius of Gateway, Colorado; provided, however, that no service shall be rendered in competition with the line haul operations of G. W. Hawthorne, and provided further that applicant shall be authorized to transport high grade shipping ore from said 20-mile radius of Gateway to Denver."

The instant application, which was heard in Denver December 23, 1943, seeks authority to transfer said permits to G. W. Hawthorne.

The evidence disclosed that no outstanding obligations exist against the operations under said permits by transferor; that $200.00 is the consideration to be paid for the transfer of the permits without any equipment, and it was further developed that said permits were suspended on May 26, 1942, Decision No. 18884, for the duration of the war and six months thereafter at the request of the said W. M. Moore.

On behalf of protestant, the road reports of transferor were to be considered as evidence. Protestant objects only to the transportation of seeds, feeds, grain, and potted plants, indiscriminately within the State of Colorado for the Mile High Seed Company and to the transportation of high grade ore to Denver. Evidence was introduced to show that protestant had served the Mile High Seed Company into and out of Grand Junction upon various occasions, sometimes by truckload lots.

The tax reports of transferor failed to disclose that he had ever

rendered this particular type of service for the Mile High Seed Company.

Transferee requested that Lumber be included in the commodities which he would have the right to haul within a 20-mile radius of Gateway. No objections were interposed to the inclusion of this commodity.

Transferee is the owner of a certificate of public convenience and necessity authorizing a line haul operation between Grand Junction and Gateway and points intermediate south of Whitewater. He must understand that his operations under his private permit must be conducted separate and apart from his operations as a common carrier.

After careful consideration of the record, the Commission is of the opinion, and so finds, that the authority sought should be granted; provided, however, that in the transportation of seeds, feeds, grain, potted plants, and seed store merchandise, transferee shall not conduct any operations in competition with Rio Grande Motor Way between towns now served by said company, and shall not transport high grade ore from Grand Junction to Denver.

O R D E R

IT IS ORDERED:

That W. M. Moore, doing business as Colorado-Nebraska Transport, be, and he is hereby, authorized to transfer to G. W. Hawthorne all of his right, title and interest in and to Permits B-2385 and B-2385-I.

IT IS FURTHER ORDERED, That in addition to the restrictions hereinbefore imposed upon operations under said permits, transferee shall not be permitted to transport seeds, feeds, grain, potted plants and seed store merchandise in competition with Rio Grande Motor Way, Inc., or between any towns now served by said company, and shall not transport high grade ore from Grand Junction to Denver.

IT IS FURTHER ORDERED, That in addition to the commodities authorized under Decision No. 18086, transferee shall have the right to transport lumber within the area authorized under said decision.

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.

The right of transfer of Permit No. B-2385-I herein granted is subject to the provisions of the Federal Motor Carrier Act of 1935.

This order shall be made a part of the permits authorized to be transferred and shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 28th day of January, 1944.

BH

(Decision No. 21877)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF JOSEPH BENOV, DOING BUSINESS AS "JOE'S CAB," 1101 COLORADO BOULEVARD, DENVER, COLORADO, FOR AN EXTENSION OF PUC NO. 1374.	)	APPLICATION NO. 5445-B

January 28, 1944.

Appearances: Nathan R. Kobey, Esq., Denver, Colorado, for applicant.

S T A T E M E N T

By the Commission:

On September 11, 1940, by Decision No. 15914, applicant was authorized to operate a common carrier motor vehicle taxicab service between points specified in the first paragraph of the Order, reference to which is hereby made.

By Paragraph (b) of said decision, it was provided that:

> "Applicant shall conduct his operations hereunder using four cabs only, with a capacity of not to exceed five passengers each, as authorized by the City and County of Denver for local service."

Applicant now seeks to have his authority extended under said certificate by amending said decision to authorize the use by applicant, under the certificate granted in Decision No. 15914, of such number of cabs as from time to time he may be authorized to use by the City and County of Denver in local service in said city.

At the hearing on January 19, 1944, at Denver, Colorado, it appeared that applicant is now authorized to use seven cabs in Denver; that there is an unusual demand for taxicab service; that while applicant has sought to limit operations out of the city to four of his cabs, he has found it difficult to get cooperation from his drivers, and has found it to be more difficult to get cooperation from his passengers, they insisting whenever a cab is furnished that the cab take them to their destination.

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

After careful consideration of the record, the Commission is of the opinion, and finds, that public convenience and necessity require the proposed extended authority of applicant, and that amendment sought should be granted.

O R D E R

IT IS ORDERED:

That public convenience and necessity require the proposed extended operations of applicant; that Decision No. 15914 should be, and it hereby is, amended so that Paragraph (b) contained in Order therein shall read:

> "Applicant shall conduct his operations hereunder with cabs of a capacity of not to exceed five passengers each, and shall limit the number of cabs used by him under this authority to the number of cabs that he, from time to time, may be authorized by the City and County of Denver to use under his Herdic License for local service in the City and County of Denver,"

in lieu of Paragraph (b) of said Decision No. 15914, which now reads:

> "Applicant shall conduct his operations hereunder using four cabs, only, with a capacity of not to exceed five passengers each, as authorized by the City and County of Denver for local service."

That said decision and order, No. 15914, except as herein amended, shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 28th day of January, 1944.

BH

(Decision No. 21878)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF W. F. VAN WINKLE AND G. S. VAN WINKLE, 1609 FORD STREET, GOLDEN, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS PRIVATE CARRIERS BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 6558-PP

January 28, 1944.

S T A T E M E N T

By the Commission:

Applicants herein seek authority to operate as Class "B" private ca rriers by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to Golden, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicants, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That W. F. Van Winkle and G. S. Van Winkle, Golden, Colorado, should be, and they hereby are, authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits

and supply points in the State of Colorado to jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to Golden, Colorado.

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

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

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

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 28th day of January, 1944.

hs

(Decision No. 21879)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ELVIN S. ANDERSON, 825 NORTH SWOPE, COLORADO SPRINGS, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 6559-PP

January 28, 1944.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in the Canon City-Florence coal fields to Colorado Springs and points within a radius of five miles thereof.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That Elvin S. Anderson, Colorado Springs, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in the Canon City-Florence coal fields to Colorado Springs and points within a radius of five miles thereof.

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

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

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

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 28th day of January, 1944.

hs

(Decision No. 21880)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHESTER LYONS, DENVER, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE) APPLICATION NO. 6561-PP
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

January 28, 1944.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in the northern Colorado coal fields to Denver, and firewood from mountains within a radius of thirty-five miles of Denver, to Denver.

Inasmuch as the motor carrier associations heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That Chester Lyons, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in the northern Colorado coal fields to Denver, and firewood from mountains within a radius of thirty-five miles of Denver, to Denver.

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

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

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

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

I D Newman

Commissioners

Dated at Denver, Colorado,
this 28th day of January, 1944.

hs

(Decision No. 21881)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
E. J. READY, 915 SOUTH THIRD, CANON)
CITY, COLORADO, FOR A CLASS "B") APPLICATION NO. 6560-PP
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

January 28, 1944.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from Florence-Canon City coal fields to railroad docks at Florence, the Power Company in Canon City, and the Power Company in Pueblo, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That E. J. Ready, Canon City, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from the Florence-Canon City coal fields to railroad docks at Florence, the Power Company plant at Canon City, and the Power Company plant in Pueblo, Colorado.

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

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

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

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 28th day of January, 1944.

hs

(Decision 21882)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE)
APPLICATION OF)
FERN NIXON & SON) APPLICATION NO. 6269-PP
Cedaredge, Colorado)

January 29, 1944

S T A T E M E N T

By the Commission:

On March 8, 1943, by Decision No. 20541, in Application No. 6269-PP Fern Nixon & Son of Cedaredge, Colorado, were granted authority to operate as Class "B" private carriers by motor vehicle for hire.

The Commission is now in receipt of a communication from said applicant requesting that said authority be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED:

That the authority granted to Fern Nixon & Son, in Application No. 6269-PP by Decision 20541 be, and the same is hereby, declared cancelled.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado
this 29th day of January, 1944.

(Decision 21883)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

MOTOR VEHICLE OPERATIONS OF)
)
MARLATT COAL CO.)
2300 - 19th St.) PRIVATE PERMIT NO. B-2834
Denver, 2, Colorado.)

January 29, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2834 be suspended for six months from January 1, 1944.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That Marlatt Coal Company of 2300 - 19th St. Denver, Colorado, be and it is hereby, authorized to suspend its operations under Permit No. B-2834 for a period of not to exceed six months from January 1, 1944.

That unless said Marlatt Coal Company shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado
this 29th day of January 1944.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
C. L. SILVER)
801 E Prospect,) PRIVATE PERMIT NO. B-2159
Ft. Collins, Colorado.)

January 29, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2159 be suspended for a period of six months from January 17, 1944.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That C. L. Silver, 801EProspect Ft. Collins, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-2159 for a period of not to exceed six months from January 17, 1944.

That unless said C. L. Silver, shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado
this 29th day of January 1944.

(Decision No. 21885)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
C. L. SILVER)
801 E. Prospect) PERMIT NO. C-5823
Ft. Collins, Colorado)
)

January 29, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from C. L. Silver of 801 E. Prospect, Ft. Collins, Colo., requesting that his Permit No. C-5823 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-5823, heretofore issued to C. L. Silver, 801 E. Prospect, Ft. Collins, Colorado, be, and the same is hereby, declared cancelled effective January 17, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 29th day of January, 19 44

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

IN THE MATTER OF THE APPLICATION OF)
ALFRED ARCHULETA)
Monte Vista, Colorado) APPLICATION NO. 6289-PP
-)

January 29, 1944.

S T A T E M E N T

By the Commission:

On April 28, 1943 by Decision No.20835, in Application No 6289-PP Alfred Archuleta, of Monte Vista, Colorado, was granted authority to operate as a Class "B" private carrier by motor vehicle for hire.

The Commission is now in receipt of a communication from said applicant requesting that said authority be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED:

That the authority granted to Alfred Archuleta, in Application No. 6289-PP, BY Decision No. 20835, be, and the same is hereby, declared cancelled.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commission

Dated at Denver, Colorado
this 29th day of January 1944.

(Decision No. 21887)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
D. F. WILLSEY)
Wauneta)
Nebraska.)

PERMIT NO. B-1989-I

January 29, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from D. F. Willsey of Wauneta, Nebraska, requesting that his Permit No. B-1989-I be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-1989-I, heretofore issued to D. F. Willsey, Wauneta, Nebraska, be, and the same is hereby, declared cancelled effective January 1, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 29th day of January, 1944

(Decision 21888)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
E. L. & C. B. BODDY d/b/a)
BODDY COAL CO.) PRIVATE PERMIT NO. B-2791
2520 - 18th St.)
Denver, Colorado.)

January 29, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2791 be suspended for a period of six months from January 1, 1944.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That E. L. & C. B. Boddy, d/b/a Boddy Coal Company, 2520 - 18th St. Denver, Colorado, be, and they are hereby, authorized to suspended for a period of not to exceed six months from January 1, 1944.

That unless said E. L. & C. B. Boddy shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/ Henry D. Thoman

Commissioners

Dated at Denver, Colorado
this 29th day of January 1944.

(Decision 21889)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
ALFRED E. TURNER)
Steamboat Springs,) PRIVATE PERMIT NO. B-1636 and B-1636-I
Colorado.)

January 29, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permits B-1636 and B-1636-I be suspended for a period of six months from January 20, 1944.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That Alfred E. Turner, Steamboat Springs, Colorado, be, and he is hereby, authorized to suspend his operations under Permits B-1636 and B-1636-I for a period of not to exceed six months from January 20, 1944.

That unless said Alfred E. Turner shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked with the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado
this 29th day of January 1944.

(Decision No. 21890)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

RE MOTOR VEHICLE OPERATIONS OF)
E. O. STEVENS, HUDSON, COLORADO.)

PUC NO. 257

January 28, 1944.

S T A T E M E N T

By the Commission:

By Decision No. 21473, E. O. Stevens of Hudson, Colorado, was authorized to suspend operations under certificate of public convenience and necessity No. 257 until December 15, 1943.

On December 13, 1943, said certificate-holder, in writing, requested that his PUC No. 257 be reinstated, as of December 15, 1943, and to that end, filed the necessary insurance and equipment slips, and otherwise complied with the rules and regulations necessary to place his certificate in good standing.

After careful consideration of the record, the Commission is of the opinion, and finds, that said certificate should be reinstated, as of December 15, 1943.

O R D E R

IT IS ORDERED:

That certificate of public convenience and necessity, PUC No. 257, should be, and the same hereby is, reinstated and restored to active status as of date December 15, 1943.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 28th day of January, 1944.

BH

(Decision No. 21891)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF PRIMITIVO VALLEJO, 424 SOUTH CONEJOS STREET, COLORADO SPRINGS, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 6557-PP

January 28, 1944.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in the Canon City-Florence coal fields to Colorado Springs and points within a radius of five miles thereof.

Inasmuch as the motor carrier associations heretofore have indicated they have no objection to the granting of permits limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter forthwith without formal notice, upon the records and files herein.

After careful consideration of the record, the Commission is of the opinion, and finds, that said permit should be granted.

O R D E R

IT IS ORDERED:

That Primitivo Vallejo, Colorado Springs, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in the Canon City-Florence coal fields to Colorado Springs and points within a radius of five miles thereof.

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

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

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

The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 28th day of January, 1944.

(Decision No. 21892)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
GENE ANDREATTI)
1015 ~~S~~ Main St.)
Walsenburg, Colorado)
)

PERMIT NO. C-10057

February 4, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Gene Andreatti of 1015 S Main St., Walsenburg, Colorado, requesting that his Permit No. C-10057 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-10057, heretofore issued to Gene Andreatti, 1015 S Main St. Walsenburg, Colorado, be, and the same is hereby, declared cancelled effective November 12, 1943

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 4th day of February, 1944

(Decision No. 21893)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
THE BUTANE GAS CORP.)
623 S. 16th St.) PERMIT NO. C-9745
Omaha, Nebraska.)
)

February 4, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from **The Butane Gas Corp.** of **623 S. 16th St., Omaha, Nebraska,** requesting that his Permit No. C-9745 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-9745, heretofore issued to **The Butane Gas Corp. 623 S. 16th St., Omaha, Nebraska,** be, and the same is hereby, declared cancelled effective **November 15, 1943.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 4th day of February, 1944

(Decision No. 21894)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
R. R. McREYNOLDS)
Garden City)
Kansas.)
)

PERMIT NO. C-14679

February 4, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from R. R. McReynolds of Garden City, Kansas, requesting that his Permit No. C-14679 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14679, heretofore issued to R. R. McReynolds, Garden City, Kansas, be, and the same is hereby, declared cancelled effective November 20, 1943.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ Henry O. Lawson

/s/ Fred E. Bradley

/s/ Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 4th day of February, 1944

(Decision No. 21895)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
NEW MEXICO PRODUCE DISTRIB-)
UTORS, INC.)
103 E Roma Ave)
Albuquerque, New Mexico.)

PERMIT NO. C-13478

February 4, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from New Mexico Produce Distributors, Inc. of 103 E. Roma Ave. Albuquerque, New Mex., requesting that his Permit No. C-13478 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13478, heretofore issued to New Mexico Produce Distributors, Inc. 103 E Roma Ave., Albuquerque, New Mexico be, and the same is hereby, declared cancelled effective November 27, 1943.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 4th day of February, 1944

(Decision No. 21896)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
JAMES H. FARMER)
7990 W Colfax)
Denver, 15, Colorado)
)

PERMIT NO. B-2965

February 4, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from James H. Farmer of 7990 W Colfax, Denver 15, Colo., requesting that his Permit No. B-2965 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-2965, heretofore issued to James H. Farmer, 7990 W. Colfax, Denver, 15, Colorado, be, and the same is hereby, declared cancelled effective December 18, 1943.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Johnson

Edward D. Parker

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 4th day of February, 1944

(Decision No. 21897)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
James H. Farmer)
7990 W Colfax)
Denver, Colorado)
)

PERMIT NO. C-11206

February 4, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from James H. Farmer of 7990 W Colfax Denver, 15, Colo., requesting that his Permit No. C-11206 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-11206, heretofore issued to James H. Farmer, 7990 W Colfax, Denver, 15, Colorado, be, and the same is hereby, declared cancelled effective December 18, 1943.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 4th day of February, 19 44

(Decision No. 21898)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
Big 4 Auto Parts Co.)
Trinidad,)
Colorado.)
)
)

PERMIT NO. C-268

February 4, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Big 4 Auto Parts Co. of Trinidad, Colorado, requesting that his Permit No. C-268 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-268, heretofore issued to Big 4 Auto Parts Co. of Trinidad, Colorado, be, and the same is hereby, declared cancelled effective December 22, 1943.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ Lewis D. Cole

/s/ Edward D. Dudley

/s/ Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 4th day of February, 1944.

(Decision No. 21899)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
JOE E. VELASQUEZ)
308½ S. Union Ave.)
Pueblo, Colorado)
)

PERMIT NO. C-14191

February 4, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Joe E. Velasquez of 308½ S. Union Ave Pueblo, Colorado, requesting that his Permit No. C-14191 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14191, heretofore issued to Joe E. Velasquez, 308½ S. Union Ave. Pueblo, Colorado. be, and the same is hereby, declared cancelled effective December 28, 1943.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 4th day of February, 1944

(Decision No. 21900)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
CHARLES A. STEVENS)
1159 Logan St.)
Denver, 3, Colorado)
)

PERMIT NO. C-14447

February 4, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Charles A. Stevens of 1159 Logan St., Denver 3, Colorado, requesting that his Permit No. C-14447 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14447, heretofore issued to Charles A. Stevens, 1159 Logan St., Denver, 3, Colorado, be, and the same is hereby, declared cancelled effective January 1, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Adams

Edward C. Keller

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,
this 4th day of February, 1944

(Decision No. 21901)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
RAY COAL CO)
1165 S. Penn)
Denver 9 Colo)
)

PERMIT NO. C-1211

February 4, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Ray Coal Company of 1165 S Penn., Denver 9 Colorado, requesting that his Permit No. C-1211 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-1211, heretofore issued to Ray Coal Company, 1165 S Penn, Denver 9 Colorado, be, and the same is hereby, declared cancelled effective January 1, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry O. Johnson

Edward E. Carr

Malcolm Eas

Commissioners.

Dated at Denver, Colorado,
this 4th day of February, 1944

(Decision No. 21902)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
SOUTHERN MONARCH FUEL & GAS) PERMIT NO. C-9909
Rt. 1, Box 182,)
Trinidad, Colorado)
)

February 4, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Southern Monarch Fuel & Gas of Rt. 1, Box 182, Trinidad, Colo., requesting that his Permit No. C-9909 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-9909, heretofore issued to Southern Monarch Fuel & Gas, Rt. 1, Box 182, Trinidad, Colorado, be, and the same is hereby, declared cancelled effective January 1, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomas

Edward D. Keller

Malcolm Erickson

Commissioners.

Dated at Denver, Colorado,

this 4th day of February, 19 44.

(Decision No. 21903)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
LEO K. BROWN) PERMIT NO. C-14141
Eckert,)
Colorado)
)

February 4, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Leo K. Brown of Eckert, Colorado, requesting that his Permit No. C-14141 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14141, heretofore issued to Leo K. Brown, Eckert, Colorado, be, and the same is hereby, declared cancelled effective January 1, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 4th day of February, 1944

(Decision No. 21904)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
E. A. BARTON)
2216 W Bijou)
Colorado Springs, Colo.)
)

PERMIT NO. C-14776

February 4, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from E. A. Barton of 2216 W Bijou, Colo. Springs, Colo., requesting that his Permit No. C-14776 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14776, heretofore issued to E. A. Barton, 2216 W Bijou, Colorado Springs, Colo., be, and the same is hereby, declared cancelled effective January 11, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomson

Dennis D. Dresser

Walcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 4th day of February, 1944

(Decision No. 21905)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
WRIGHT BROS.) PERMIT NO. C-4352
Calhan,)
Colorado.)
)

February 4, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Wright Bros. of Calhan, Colorado, requesting that his Permit No. C-4352 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-4352, heretofore issued to Wright Bros., Calhan, Colorado, be, and the same is hereby, declared cancelled effective January 17, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry P. Thomas

Edward J. Keesley

Malcom Ericson

Commissioners.

Dated at Denver, Colorado,

this 4th day of February, 1944

(Decision No. 21906)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
JAS. N. VANNORSDEL)
908 Sycamore St.)
Ft. Collins, Colo.)
)

PERMIT NO. C-3864

February 4, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Jas. N. Vannorsdel of 908 Sycamore St., Ft. Collins, Colo requesting that his Permit No. C-3864 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-3864, heretofore issued to Jas. N. Vannorsdel, 908 Sycamore St., Ft. Collinsk Colorado, be, and the same is hereby, declared cancelled effective January 17, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 4th day of February, 1944

(Decision No. 21907)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
WALTER R. WOOD)
Granby)
Colorado)
)

PERMIT NO. C-4277

February 4, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Walter R. Wood of Granby, Colorado, requesting that his Permit No. C-4277 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-4277, heretofore issued to Walter R. Wood, Granby, Colorado, be, and the same is hereby, declared cancelled effective January 17, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 4th day of February, 1944.

(Decision No. 21908)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
S. B. SMITH POULTRY FARM) PERMIT NO. C-6105
Brush,)
Colorado.)
)

February 4, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from S. R. Smith Poultry Farm of Brush, Colorado, requesting that his Permit No. C-6105 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-6105, heretofore issued to S. R. Smith Poultry Farm, Brush, Colorado, be, and the same is hereby, declared cancelled effective January 19, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/ Henry O. Thomson

Edward E. Keller

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 4th day of February, 1944

(Decision No. 21909)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
HERBERT JESKE) PERMIT NO. C-14531
Hillside,)
Colorado.)
)

February 4, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Herbert Jeske of Hillside, Colorado, requesting that his Permit No. C-14531 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14531, heretofore issued to Herbert Jeske, Hillside, Colorado, be, and the same is hereby, declared cancelled effective January 19, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 4th day of February, 1944.

(Decision No. 21910)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
FRANK F. BROWNING) PERMIT NO. 921-I
Box 114,)
Broadwater, Nebraska.)

February 4, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Frank F. Browning of Box 114 Broadwater, Nebr., requesting that his Permit No. 921-I be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. 921-I, heretofore issued to Frank F. Browning, Box 114, Broadwater, Nebraska, be, and the same is hereby, declared cancelled effective January 19, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ Henry O. Johnson

/s/ Edward D. Mueller

/s/ Malcolm Erickson

Commissioners.

Dated at Denver, Colorado,

this 4th day of February, 1944

(Decision No. 21911)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
SMITH BROTHERS TRUCK LINE) PERMIT NO. 1530-I
Clinton, Missouri.)
)
)

February 4, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Smith Brothers Truck Line of Clinton, Missouri, requesting that his Permit No. 1530-I be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. 1530-I, heretofore issued to Smith Brothers Truck Line, Clinton, Missouri, be, and the same is hereby, declared cancelled effective January 20, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Sherman

Frank E. Keller

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 4th day of February, 1944.

(Decision No. 21912)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
ELMER PAUSTIAN) PERMIT NO. C-14563
Leadville,)
Colorado)
)

February 4, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Elmer Paustian of Leadville, Colorado, requesting that his Permit No. C-14563 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14563, heretofore issued to Elmer Paustian, Leadville, Colorado be, and the same is hereby, declared cancelled effective January 22, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomas

Duard D. Ringle

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 4th day of February, 1944

(Decision No. 21913)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
W. A. DRAKE)
111 W 13th St.)
Wichita, Kansas.)
)

PERMIT NO. C-14603

February 4, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from W. A. Drake of 111 W 13th St., Wichita Kansas, requesting that his Permit No. C-14603 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14603, heretofore issued to W. A. Drake, 111 W 13th St., Wichita, Kansas, be, and the same is hereby, declared cancelled effective January 24, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 4th day of February, 1944

(Decision No. 21914)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
BARNEY J. ENRIETTO)
Louisville,)
Colorado)
)

PERMIT NO. C-14764

February 4, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Barney J. Enrietto of Louisville, Colorado, requesting that his Permit No. C-14764 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14764, heretofore issued to Barney J. Enrietto, Louisville, Colorado, be, and the same is hereby, declared cancelled effective January 24, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomson

Dennis E. Creedon

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 4th day of February, 1944.

(Decision No. 21915)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF)
ANN M. HOFFMAN, DOING BUSINESS AS) APPLICATION NO. 6397-B
OWL CAB COMPANY, FOR EXTENSION OF)
DESTINATIONS OF PUC NO. 1529.)

February 4, 1944.

Appearances: Leo Sanders Moses, Esq., Symes Bldg., Denver, Colorado, for applicant;
Hodges, Vidal and Goree, Esqs., Denver, for Rocky Mountain Motor Company;
John F. Mueller, Esq., Midland Savings Bldg., Denver, Colorado, for Zone Cab Company, Publix Cab Company, Bill's Cab Company, Checker Cab Company, Green & White Company, Joe's Cab Company, Ritz Cab Company, and John's Cab Company.

S T A T E M E N T

By the Commission:

On August 23, 1943, Decision No. 21287, applicant was granted a certificate of public convenience and necessity authorizing a taxicab service for the transportation of passengers and hand baggage between Aurora and Denver, Lowry Field, Fitzsimons General Hospital, Rocky Mountain Arsenal, and the Municipal Airport, said certificate being limited to the duration of the present war, or until such further time as the Commission shall find that no public convenience and necessity exist for such operation.

The instant application, which was heard in Denver on January 12, 1944, seeks an extension of service under said certificate to include the right to serve Englewood, Buckley Field, Bennett, Golden, Brighton and Littleton, with taxicab service from Aurora.

The evidence disclosed that drivers for applicant have had more or less numerous requests to furnish service from Aurora to these additional points. Several witnesses who reside at points intermediate between Aurora and Bennett testified as to the need of cab service to get to and from Aurora.

While a number of protests were filed, no evidence was introduced by any protestant opposing the application.

Unquestionably, during the war period, considerable demand does exist for this particular kind of transportation service, although we do not believe that any showing was made that would justify the granting of a certificate to serve Golden from Aurora.

After careful consideration of the record, the Commission is of the opinion, and so finds, that the authority sought should be granted as hereinafter limited.

O R D E R

IT IS ORDERED:

That Ann M. Hoffman, doing business as Owl Cab Company, be, and she is hereby, authorized to extend operations under certificate of convenience and necessity No. 1529 to include the right to transport passengers and hand baggage by taxicab between Aurora and Englewood, Aurora and Buckley Field, Aurora and Brighton, Aurora and Littleton, Aurora and Bennett, and points intermediate between Bennett and Aurora.

IT IS FURTHER ORDERED, That the additional authority herein granted is subject to all the restrictions and conditions imposed in the original order granting the above certificate, including the necessity of full compliance by applicant with all applicable orders of the Office of Defense Transportation of the Federal Government.

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

Applicant shall operate her carrier system according to the schedule filed except when prevented by Act of God, the public enemy or extreme conditions.

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 days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 4th day of February, 1944.

BH

(Decision No. 21916)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE FREE OF CHARGE TRANSPORTATION BY THE DENVER AND SALT LAKE RAILWAY COMPANY FROM OAK HILLS, COLORADO, TO THE DENVER WAR CHEST, DENVER, COLORADO.	))))	MISCELLANEOUS DOCKET NO. 188

February 3, 1944

S T A T E M E N T

By the Commission:

This matter is before the Commission upon a letter from The Denver and Salt Lake Railway Company, by F. J. Toner, its Traffic Manager, dated January 29, 1944, requesting authority to transport two carloads of coal free of charge from Oak Hills, Colorado, on account of charity.

The shipments in question have been donated by a shipper on the line of The Denver and Salt Lake Railway Company, for use of various agencies of The Denver War Chest, a charitable institution, and are to be used for charity.

Section 17, paragraph (c) of The Public Utilities Act provides that the Commission may, by rule or order, authorize carriers to depart from their published tariff rates.

After full consideration of the facts as set forth, the Commission finds that the request should be authorized.

O R D E R

IT IS THEREFORE ORDERED, That The Denver and Salt Lake Railway Company be, and it is hereby, authorized to protect a free rate on two carloads of coal from Oak Hills, Colorado, to Denver, Colorado, consigned to The Denver War Chest, in care of the United Fuel & Equipment Company, Denver, Colorado.

IT IS FURTHER ORDERED, That this order shall not be used as a precedent for other cases of a similar nature.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 3rd day of February, 1944

JH

Dec. 21916
2/3/44

FORM 1801

THE DENVER AND SALT LAKE RAILWAY CO.

OFFICE OF TRAFFIC MANAGER

DENVER, COLORADO 2

F. J. TONER
TRAFFIC MANAGER

T
6

January 29, 1944

THE PUBLIC UTILITIES COMMISSION
FILED
FEB 1 1944
OF THE STATE OF COLORADO

Public Utilities Commission of the
State of Colorado,
State Office Building,
Denver, Colorado.

Gentlemen:

WAR

Two carloads of coal have been donated by one of the operators on our line to the Denver ~~Community~~ Chest for use of various Chest Agencies and the Community Chest Office Building. These cars will be consigned to the Denver Community Chest in care of the United Fuel & Equipment Company.

In view of the above, we shall be pleased to haul these cars of coal free of charge from the mine at Oak Hills, Colorado to Denver and we request your authority in line with Section 17-C of the Public Utilities Act to grant this free billing.

If consistent, we shall appreciate receiving this authority in duplicate.

Yours truly,

F. J. Toner

A

B

(Decision No. 21917)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

RE MOTOR VEHICLE OPERATIONS OF)
) P.U.C. NO. 600
ELMO MOTSINGER, KIRK, COLORADO.)

February 4, 1944

S T A T E M E N T

By the Commission:

On September 2, 1943, by order of the Commission, Decision No. 21328, Elmo Motsinger, of Kirk, Colorado, was given authority to suspend operations under Certificate No. 600 for a period of six months, with the privilege of reinstatement.

The Commission is now in receipt of a communication from said certificate holder requesting that said certificate be restored to its active status.

After careful consideration, said Elmo Motsinger having on file the necessary certificate of insurance, cash deposit, and otherwise having complied with the rules and regulations of the Commission governing common carriers, the Commission is of the opinion, and so finds, that said order of suspension should be set aside and said certificate be restored to its active status.

O R D E R

IT IS ORDERED:

That said order of suspension, Decision No. 21328, be, and it hereby is, set aside and Certificate No. 600 be, and the same hereby is, restored to its active status, as of the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 4th day of February, 1944.

BH

(Decision No. 21918)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF A GENERAL INVESTIGATION OF THE FREIGHT RATES AND CLASSIFICATION OF FREIGHT OF ALL COMMON AND PRIVATE MOTOR VEHICLE CARRIERS

CASE NO. 1585
(RE RATES FOR TRANSPORTATION OF PETROLEUM AND PETROLEUM PRODUCTS BY TANK TRUCKS)

February 4, 1944

S T A T E M E N T

By the Commission:

On and before October 28, 1942, the Commission issued a number of "motor vehicle carrier" common carrier certificates for the transportation of petroleum and petroleum products in bulk.

Prior to said date, only a small volume of gasoline, fuel oil, and other liquid fuel products moved by common carriers by motor vehicle in tank trucks, and the Commission was of the opinion that it was not advisable to prescribe, and, therefore, to date has not prescribed, rates for movement of such products in bulk.

The Commission is informed that presently practically all liquid fuel products are moving by motor vehicle common carriers, and it appears that the Commission should prescribe rates for said movement, as required by Section 10, Chapter 120, Session Laws of 1931, as amended.

Therefore, the Commission finds that Case No. 1585 should be reopened for further hearing relative to the rates for the transportation of petroleum and petroleum products in bulk by motor vehicle tank trucks.

O R D E R

IT IS ORDERED:

That Case No. 1585 be, and the same is hereby, reopened for further hearing before the Commission at 10:00 o'clock A. M., on the 29th day of February, 1944, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, for taking of evidence concerning rates and charges for the transportation of petroleum and petroleum products in bulk in tank trucks by motor vehicle.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 4th day of February, 1944

JH

(Decision 21919)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * * *

Re MOTOR VEHICLE OPERATIONS OF)
)
MRS ALBERT WENDZEL)
4544 Josephine St) PRIVATE PERMIT NO. B-2929
Denver 16, Colorado.)

February 10, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2929 be suspended for a period of six months from December 1, 1943.

After careful consideration, the Commission is of the opinion and so finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That Mrs. Albert Wendzel of 4544 Josephine St., Denver 16, Colorado, be and she is hereby, authorized to suspend his operations under Permit No. B-2929 for a period of not to exceed six months from December 1, 1943.

That unless said Mrs. Albert Wendzel shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ Henry O. Thoreson

Commissioners.

Dated at Denver Colorado
this 10th day of February 1944.

(Decision 21920)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
W. O. IRELAND)
Cotopaxi,)
Colorado.) PRIVATE PERMIT NO. B-2754

February 10, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2754 be suspended for a period of six months from January 15, 1944.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That W. O. Ireland, of Cotopaxi, Colorado be, and he is hereby authorized to suspend his operations under Permit No. B-2754 for a period of not to exceed six months from January 15, 1944.

That unless said W. O. Ireland shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomas

Edward J. Keller

Malcom Erickson

Commissioners.

Dated at Denver, Colorado
this 10th day of February 1944

(Decision No. 21921)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
EARL H. KNUTH)
Rt. 1 Box 273)
Pueblo, Colorado)
)

PERMIT NO. C-14639

February 10, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Earl H. Knuth of Rt. 1 Box 273, Pueblo, Colo., requesting that his Permit No. C-14639 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14639, heretofore issued to Earl H. Knuth, Rt. 1, Box 273, Pueblo, Colorado, be, and the same is hereby, declared cancelled effective January 27, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomas

Edward J. Keller

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 10th day of February, 1944

(Decision No. 21922)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
JOSEPH V LYDIATTE) PERMIT NO. B-2678
3851 Fox)
Denver 16 Colorado)
)

February 10, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Joseph V Lydiatte of 3851 Fox, Denver 16 Colorado, requesting that his Permit No. B-2678 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-2678, heretofore issued to Joseph V Lydiatte, 3851 Fox, Denver, 16, Colo., be, and the same is hereby, declared cancelled effective January 1, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomas

Edward D. Dudley

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 10th day of February, 1944

(Decision No. 21923)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
HENRY A. PETERSON)
2338 Clay St.)
Denver 11, Colorado.)
)

PERMIT NO. B-2972

February 10, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Henry A. Peterson of 2338 Clay St., Denver 11 Colo., requesting that his Permit No. B-2972 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-2972, heretofore issued to Henry A. Peterson, 2338 Clay St., Denver 11, Colorado, be, and the same is hereby, declared cancelled effective January 28, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ Henry D. Thorneman

/s/ Edward E. Keller

/s/ Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 10th day of February, 1944

(Decision No. 21924)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
A. E. BROWN)
Box 116, 105 Grand View,)
Arvada, Colorado)
)

PERMIT NO. C-1238

February 10, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from A. E. Brown of Box 116 105 Grand View, Arvada, Colorado, requesting that his Permit No. C-1238 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-1238, heretofore issued to A. E. Brown, Box 116, 105 Grand View, Arvada, Colorado, be, and the same is hereby, declared cancelled effective January 31, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ Henry D. Thomas

/s/ Everett E. Keeler

/s/ Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 10th day of February, 1944.

(Decision 21925)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
CLAYTON HERN)
La Veta,) P U C NO. 1440
Colorado.)

February 10, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named certificate holder, requesting that P U C No. 1440 be suspended for the duration of the present war, and six months.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That Clayton Hern, La Veta, Colorado be, and he is hereby, authorized to suspend his operations under Certificate No. 1440 for the duration of the present war and six months, from January 29, 1944.

That unless said Clayton Hern shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said Certificate, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to Certificate holders, said Certificate, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado
this 10th day of February 1944.

(Decision No. 21926)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
CLAYTON HERN)
LA VETA)
COLORADO)
)

PERMIT NO. C-4417

February 10, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Clayton Hern of La Veta, Colorado, requesting that his Permit No. C-4417 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-4417, heretofore issued to Clayton Hern, La Veta, Colorado be, and the same is hereby, declared cancelled effective January 29, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomas

Edward E. Bruce

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 10th day of February, 1944

(Decision No. 21927)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
J. J. FRANK)
Rt. 1,)
Loveland, Colorado)
)

PERMIT NO. C-14799

February 10, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from J. J. Frank, of Rt. 1, Loveland, Colo., requesting that his Permit No. C-14799 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14799, heretofore issued to J. J. Frank, Rt. 1, Loveland, Colorado, be, and the same is hereby, declared cancelled effective January 26, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ Henry D. Thomas

/s/ Edward C. Keeler

/s/ Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 10th day of February, 1944

(Decision No. 21928)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
COLORADO BUS LINES, INC., 321 EAST)
COSTILLA STREET, COLORADO SPRINGS,) APPLICATIONS NOS. 689-AA
COLORADO, TO LEASE TO CLEO L.) 756-AA
STARKS A PORTION OF PUC NO. 148.)

February 11, 1944

S T A T E M E N T

By the Commission:

On J anuary 7, 1944, Colorado Bus Lines, Inc., filed petition with this Commission, requesting authority to lease a portion of PUC No. 148 to Cleo L. Starks.

The Commission is now in receipt of a communication from attorney for applicants, requesting that said application be dismissed, without prejudice.

After careful consideration of the record, the Commission is of the opinion, and finds, that said request should be granted.

O R D E R

IT IS ORDERED:

That the above-styled application be, and the same hereby is, dismissed, without prejudice.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado this
11th day of February, 1944.

hs

Original

(Decision No. 21929)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF HIGHLAND UTILITIES COMPANY, SPRINGFIELD, COLORADO, FOR PERMISSION TO TRANSFER ELECTRIC PLANT, TRANSMISSION AND DISTRIBUTION SYSTEMS IN MONTEZUMA COUNTY, COLORADO.

APPLICATIONS NOS. 1271-A, 1272-A 1273-A, 1374-A

(Supplemental order)

February 11, 1944.

Appearances: Lowell D. Hunt, Esq., Denver, Colorado, for the Petitioners;
Charles R. Enos, Esq., John Shireman, Esq., Denver, and James Garrison, Esq., City Attorney for Town of Cortez, for the Town of Cortez;
James M. Noland, Esq., Durango, Colorado, for Empire Electric Association, Inc.

S T A T E M E N T

By the Commission:

On December 16, 1943, Decision 21708, an order was issued by the Commission authorizing Highland Utilities Company to transfer to Empire Electric Association, Inc., certain electrical property located in the County of Montezuma, State of Colorado, subject to certain requirements to be performed by both transferor and transferee which are set out in detail in said decision.

It now appears from our records and files that Highland Utilities Company has fully complied with the requirements of said Decision 21708, and Empire Electric Association, Inc., has substantially complied by amending its By-Laws to permit service to other than stockholders on acquired lines, and we have been requested by transferee to issue a supplemental order, finding that such compliance has been made and granting final approval of the transfer authorized on said December 16, 1943.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that said request should be granted and said

transfer finally approved.

O R D E R

IT IS ORDERED:

That the requirements, as set out in our order of December 16, 1943, Decision No. 21708, having been substantially complied with by both transferor and transferee, final approval of the sale authorized by said Decision No. 21708 is hereby made.

That transferee shall file its rate schedules, rules and regulations, set up its books and accounts in agreement with the Uniform classification of Accounts, and bring all its practices as to testing, consumers' deposits and operations, records of meters, transformers and complaints into compliance with the Commission's requirements, within twenty days from date.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 11th day of February, 1944.

BH

(Decision No. 21930)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE FREE OF CHARGE TRANSPORTATION BY THE DENVER AND SALT LAKE RAILWAY COMPANY FROM OAK HILLS, COLORADO, AND MT. HARRIS, COLORADO, TO THE DENVER WAR CHEST, DENVER, COLORADO.) MISCELLANEOUS DOCKET NO. 189

February 15, 1944

S T A T E M E N T

By the Commission:

This matter is before the Commission upon letters from The Denver and Salt Lake Railway Company, by F. J. Toner, its Traffic Manager, dated February 8, 1944, and February 12, 1944, requesting authority to transport one carload of coal from Mt. Harris, Colorado, and two carloads of coal from Oak Hills, Colorado, free of charge, on account of charity.

The shipments in question have been donated by shippers on the line of The Denver and Salt Lake Railway Company, for use of various agencies of The Denver War Chest, a charitable institution, and are to be used for charity.

Section 17, paragraph (c) of The Public Utilities Act provides that the Commission may, by rule or order, authorize carriers to depart from their published tariff rates.

After full consideration of the facts as set forth, the Commission finds that the requests should be authorized.

O R D E R

IT IS THEREFORE ORDERED, That The Denver and Salt Lake Railway Company be, and it is hereby, authorized to protect a free rate on one carload of coal from Mt. Harris, Colorado, to Denver, Colorado, consigned to the Denver War Chest, in care of the Colorado & Utah Coal Company, Denver, Colorado; and on two carloads of coal from Oak Hills, Colorado, to Denver, Colorado, consigned to the United

Fuel and Equipment Company, Denver, Colorado.

IT IS FURTHER ORDERED, That this order shall not be used as a precedent for other cases of a similar nature.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 15th day of February, 1944

JH

FORM 1801

hlw 2/19 30 191
M.O. 2/19 189

THE DENVER AND SALT LAKE RAILWAY CO.

OFFICE OF TRAFFIC MANAGER

DENVER, COLORADO 2

6

F. J. TONER
TRAFFIC MANAGER

February 8, 1944

The Public Utilities Commission of the
State of Colorado,
State Office Building,
Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION
FILED
FEB 9 - 1944
OF THE STATE OF COLORADO

Gentlemen:

A carload of coal has been donated by one of the operators on our line to the Denver Community Chest for use of The Globeville Day Nursery and Mt. St. Vincent's Home, which are agencies of the Chest. This car will be consigned to the Denver Community Chest in care of the Colorado & Utah Coal Company.

In view of the above, we shall be pleased to haul this car of coal free of charge from the mine at Mt. Harris, Colorado to Denver and we request your authority in line with Section 17-C of the Public Utilities Act to grant this free billing.

If consistent, we shall appreciate receiving this authority in duplicate.

Yours truly,

A

F. J. Toner
15

FORM 1801

Dec. 2195
2/15/
M.O 189

THE DENVER AND SALT LAKE RAILWAY CO.

OFFICE OF TRAFFIC MANAGER

DENVER, COLORADO 2

F. J. TONER
TRAFFIC MANAGER

February 12, 1944



Public Utilities Commission of the
State of Colorado,
State Office Building,
Denver, Colorado.

Gentlemen:

Two carloads of coal have been donated by one of the operators on our line to the Denver Community Chest for use of various Chest Agencies and the Denver Community Chest Office Building. These cars will be consigned to the Denver Community Chest in care of the United Fuel & Equipment Company.

In view of the above, we shall be pleased to haul these cars of coal free of charge from the mine at Oak Hills, Colorado to Denver and we request your authority in line with Section 17-C of the Public Utilities Act to grant this free billing.

If consistent, we shall appreciate receiving this authority in duplicate.

Yours truly,

A

F. J. Toner
B.

(Decision No. 21931)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF WILLIAM P. MOLLOY, DOING BUSINESS AS "SKY LINE AUTO LIVERY", LEADVILLE, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 6373

February 14, 1944.

Appearances: Marion F. Jones, Esq., Denver, Colorado, for applicant;
T. A. Stockton, Jr., Esq., Denver, Colorado, for E. D. Holmes, doing business as Leadville Taxi Service.

S T A T E M E N T

By the Commission:

The instant application was originally heard in Leadville, and by order of the Commission dated November 22, 1943, Decision No. 21643, was denied. Thereafter, applicant filed motion for rehearing, which by order dated January 5, 1944, Decision No. 21792, was granted.

Said rehearing was held at Denver on February 4, 1944. At the opening of the hearing, applicant requested authority to amend the application to show that Harry E. Smith of Leadville, was one of the applicants, having an equal interest with William P. Molloy, the original applicant. Further authority was sought to amend the application to show that applicants desire to perform taxi service between points within the City of Leadville.

Counsel for applicants then stated that if said amendments were permitted, applicants would limit their operations for taxi service within the corporate limits of Leadville to the use of one car; that any certificate granted for taxicab service might be limited to the duration of the war and six months thereafter, or to the closing of Camp Hale, whichever event occurred first.

In view of these stipulations, counsel for E. D. Holmes withdrew any opposition to the granting of the application. Said amendments were allowed.

Evidence was introduced to the effect that bus service had been discontinued between Leadville and Climax, and that the bus service between Climax and Denver did not go by Climax at such times as to meet any change of shifts.

It was further developed that a drainage tunnel, which is to be driven in the Leadville area with the help of Federal funds, is expected to drain the mines in that district, which would permit the resumption of work therein. The witness felt that this would mean an increase in Leadville's population and consequent need for additional taxicab service. It is expected that the driving of said tunnel will take from eighteen months to two years and that approximately two hundred men will be employed.

A practicing physician in the City of Leadville testified as to the need for additional service, particularly in connection with the bringing of people into Leadville from outside areas who were in need of medical attention.

Testimony was also introduced as to the scenic resorts in the Leadville area which many tourists desire to visit, but to which transportation service is not available and would not be available even after war restrictions on such operations were removed.

In view of the withdrawal of any objections to the granting of this certificate by the Leadville Taxi Service, and the additional evidence submitted at the rehearing as to the need of the proposed service, as limited by the stipulation of counsel for applicant, the Commission is of the opinion, and so finds, that the authority sought should be granted.

O R D E R

IT IS ORDERED:

That William P. Molloy and Harry E. Smith, doing business as "Sky Line Auto Livery," should be, and they are hereby, authorized to operate a taxicab business between Leadville on the one hand, and points and places within a 20-mile radius of Leadville, on the other hand, including point to point service within the corporate limits of the City of Leadville, and

including also a scenic or sightseeing service between Leadville on the one hand, and points and places of scenic interest within a radius of forty miles of Leadville, on the other hand, subject to the following restrictions, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor;

(a) All taxicab business between points within the corporate limits of Leadville shall be limited to the use of one car.

(b) All taxicab business authorized herein shall be limited to the duration of the war and six months thereafter, or to the closing of Camp Hale as an army camp, whichever event occurs first.

(c) No local service is authorized between Camp Hale and Red Cliff, to-wit:

Applicants shall not afford transportation to anyone at Camp Hale or west thereof, going west, or to anyone who is west of Camp Hale and going east, but not going farther east than Camp Hale.

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

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

This order is subject to compliance by applicants with all present and future laws and rules and regulations of the Commission.

The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 14th day of February, 1944.

BH

(Decision No. 21932)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
M & M GROCERY & MEAT MARKET)
Meeker,)
Colorado.)
)

PERMIT NO. C-12937

February 15, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from M & M Grocery & Meat Market of Meeker, Colorado, requesting that his Permit No. C-12937 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12937, heretofore issued to M & M Grocery & Meat Market, Meeker, Colorado be, and the same is hereby, declared cancelled effective December 14, 1943

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 15th day of February, 1944

(Decision No. 21933)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
RUFUS GARBISO)
128 Montana,)
Walsenburg, Colorado.)
)

PERMIT NO. C-9319

February 15, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Rufus Garbiso of 128 Montana, Walsenburg, Colo., requesting that his Permit No. C-9319 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-9319, heretofore issued to Rufus Garbiso, 128 Montana, Walsenburg, Colorado, be, and the same is hereby, declared cancelled effective January 18, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Thomas

Edward J. Keller

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 15th day of February, 1944

(Decision No. 21934)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
E. A. BOWLES)
c/o E. A. BOWLES GRAIN MERCHAN-) PERMIT NO. C-12540
DISING CO.)
Ft. Dodge, Iowa.)

February 15, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from E. A. Bowles, c/o E. A. Bowles Grain Merchandising Co. Ft. Dodge, Iowa, requesting that his Permit No. C-12540 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12540, heretofore issued to E. A. Bowles, c/o E. A. Bowles Grain Merchandising Co. Ft. Dodge, Iowa, be, and the same is hereby, declared cancelled effective January 1, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 15th day of February, 1944

(Decision No. 21935)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
FLORENCE HART d/b/a)
FARM HAULING SERVICE) PERMIT NO. C-12654
623 Martin St.)
Longmont, Colorado)

February 15, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Florence Hart, d/b/a Farm Hauling Service, of 623 Martin St. Longmont Colorado, requesting that his Permit No. C-12654 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12654, heretofore issued to Florence Hart d/b/a Farm Hauling Service 623 Martin St. Longmo t, Colo. be, and the same is hereby, declared cancelled effective February 2, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 15th day of February, 19 44.

(Decision No. 21936)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
ARCHIE P. WYATT) PERMIT NO. C-13671
Penrose)
Colorado)
)

February 15, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Archie P. Wyatt of Penrose, Colorado, requesting that his Permit No. C-13671 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13671, heretofore issued to Archie P. Wyatt, Penrose, Colorado, be, and the same is hereby, declared cancelled effective January 14, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Johnson

Edward E. Keller

Malcolm Erickson

Commissioners.

Dated at Denver, Colorado,

this 15th day of February, 1944

(Decision No. 21937)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
THE PEAKS COAL CO.)
Box 249,)
Walsenburg, Colo.)
)

PERMIT NO. C-14292

February 15, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from The Peaks Coal Co. of Box 249, Walsenburg, Colo., requesting that his Permit No. C-14292 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14292, heretofore issued to The Peaks Coal Co., Box 249, Walsenburg, Colorado, be, and the same is hereby, declared cancelled effective January 25, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 15th day of February, 1944

(Decision No. 21938)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
WATSON BROS TRANSPORTATION) PERMIT NO. A-688-I
COMPANY, INC.)
802 South 14th St.)
Omaha, Nebraska.)

February 15, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Watson Bros. Transportation Co. Inc. of 802 South 14th, Omaha, Nebraska, requesting that his Permit No. A-688-I be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. A-688-I, heretofore issued to Watson Bros. Transportation Co. Inc. 802 South 14th, Omaha Nebraska, be, and the same is hereby, declared cancelled effective February 2, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry O. Johnson

Commissioners.

Dated at Denver, Colorado,

this 15th day of February, 19 44

(Decision No. 21939)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

*****

IN THE MATTER OF THE APPLICATION OF FLOYD E. WOOLSEY, JR., IMPERIAL HOTEL, LONGMONT, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE	)	APPLICATION NO. 6555-PP

February 15, 1944.

Appearances: Floyd E. Woolsey, Jr., Longmont, Colorado, pro se;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company.

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 hay between points within a radius of fifty miles of Longmont, Colorado.

At the hearing in Denver, Colorado, on February 2, 1944, it appeared that applicant, for a number of months, has been operating a portable hay grinder; that ordinarily the hay grainder is set up at farms where hay is purchased, and after hay is ground, it is moved to mills within the radius mentioned; that occasionally when hay is sought to be delivered at the nearest mill, delivery will not be accepted because of lack of capacity, and it is necessary to take the ground hay to another mill in the same area.

There was no objection to granting of the authority sought.

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

After careful consideration of the record, the Commission is of the opinion, and finds, that said permit should issue.

O R D E R

IT IS ORDERED:

That Floyd E. Woolsey, Jr., Longmont, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of hay, loose, baled or ground, between points within a radius of fifty miles of Longmont, Colorado.

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

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

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

The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 15th day of February, 1944.

BH

(Decision No. 21940)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN WOLFE, EAST 3RD, ROUTE 1,)
FLORENCE, COLORADO, FOR A CLASS "B") APPLICATION NO. 6568-PP
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

February 15, 1944.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from coal fields in Fremont County to City of Colorado Springs, Camp Carson, Peterson Field, City of Pueblo, and Baxter Air Base, at Baxter, Colorado.

Inasmuch as the motor carrier associations heretofore have indicated they have no objection to the granting of permits limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That John Wolfe, Florence, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from coal fields in Fremont County to the city of Colorado Springs, Camp Carson, Peterson Field, the city of Pueblo, and Baxter Air Base, at Baxter, Colorado.

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

deemed advisable.

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

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

The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 15th day of February, 1944.

BH

(Decision No. 21941)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF)
CLARENCE VON PALMER, CHAPPELL,)
NEBRASKA, FOR AUTHORITY TO TRANSFER)
PERMIT NO. B-1698-I TO CLARENCE VON) PERMIT NO. B-1698-I
PALMER AND KENNETH EARNHART, CO-)
PARTNERS, DOING BUSINESS AS "PALMER)
& EARNHART, CHAPPELL, NEBRASKA.)

February 15, 1944.

S T A T E M E N T

By the Commission:

Heretofore, Clarence Von Palmer, Chappell, Nebraska, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a private carrier by motor vehicle in interstate commerce, and Permit No. B-1698-I issued to him.

Said permit-holder now seeks authority to transfer said permit to Clarence Von Palmer and Kenneth Earnhart, co-partners, doing business as "Palmer & Earnhart," Chappell, Nebraska.

The records and files of the Commission disclose that ton-mile tax in the amount of $19.48 is due for operations under said Permit No. B-1698-I.

Therefore, after careful consideration of the record, the Commission is of the opinion, and finds, that said transfer should be authorized, conditioned upon the payment by transferees of all accrued ton-mile tax due the Commission before consummation of said transfer.

O R D E R

IT IS ORDERED:

That Clarence Von Palmer, Chappell, Nebraska, be, and he hereby is, authorized to transfer all his right, title and interest in and to Permit No. B-1698-I to Clarence Von Palmer and Kenneth Earnhart, co-partners,

doing business as "Palmer & Earnhart," Chappell, Nebraska, provided that transferees or transferor, prior to consummation of said transfer, shall pay all accrued ton-mile tax due the Commission.

Transfer herein authorized shall be subject to the provisions of the Federal Motor Carrier Act of 1935.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 15th day of February, 1944.

BH

(Decision No. 21942)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF FLORENCE HART, DOING BUSINESS AS "FARM HAULING SERVICE," 623 MARTIN, LONGMONT, COLORADO, FOR AUTHORITY TO TRANSFER PUC 945 AND 945-I TO GUY HART, DOING BUSINESS AS "FARM HAULING SERVICE", 623 MARTIN ST., LONGMONT, COLORADO.

APPLICATION NO. 3370-A

February 15, 1944.

Appearances: Guy Hart, Longmont, Colorado, for applicants.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to transfer her intrastate authority, PUC No. 945, and interstate authority, PUC No. 945-I, to Guy Hart, doing business as "Farm Hauling Service," Longmont, Colorado.

At the hearing in Denver, Colorado, on February 2, 1944, it developed that transferor and transferee were husband and wife, but now are divorced; that, under terms of property settlement and division, transferor agreed to transfer certificates mentioned to transferee; that transferee heretofore has conducted operations under the certificates for transferor, and if transfer is authorized, will continue the operations in the same manner.

It also appeared that no reports have been filed for operations under said certificates since October, 1943, and that, as of date September 30, 1943, $62.62 in ton-mile tax is due the Commission.

After careful consideration of the record, the Commission is of the opinion, and finds, that the authority sought should be granted, conditioned upon the filing by transferee of reports covering operations from October 1, 1943, to date, and the payment of all accrued ton-mile tax before the consummation of said transfer.

O R D E R

IT IS ORDERED:

That Florence Hart, doing business as "Farm Hauling Service", Longmont, Colorado, be, and she hereby is, authorized to transfer all her right, title and interest in and to PUC No. 945 and 945-I to Guy Hart, doing business as "Farm Hauling Service," Longmont, Colorado, provided that said transferee, prior to consummation of said transfer, shall file reports covering operations from October 1, 1943, to date, and pay all accrued ton-mile tax.

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.

That transfer of interstate authority herein authorized shall be subject to the provisions of the Federal Motor Carrier Act of 1935.

This order is made a part of the permit authorized to be transferred, and shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 15th day of February, 1944.

BH

(Decision No. 21943)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF)
F. A. FERGUSON, 404 GALYLERA ST.,)
PUEBLO, COLORADO, FOR A CLASS "B") APPLICATION NO. 6541-PP
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

February 15, 1944.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from coal mines in Fremont, Huerfano and Las Animas counties, and wood from supply points in Huerfano, Las Animas and Pueblo counties, to Pueblo, Colorado Springs, Fowler, Manzanola, Rocky Ford, Swink, La Junta, and Army Camps in Pueblo, El Paso and Otero counties.

Inasmuch as the motor carrier associations heretofore have indicated they have no objection to the granting of permits limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter forthwith without formal notice, upon the records and files herein.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That F. A. Ferguson, Pueblo, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from coal mines in Fremont, Huerfano and Las Animas Counties, and wood from supply points in Huerfano, Las Animas and Pueblo Counties, to Pueblo, Colorado Springs, Fowler, Manzanola,

Rocky Ford, Swink, La Junta, and Army Camps in Pueblo, El Paso and Otero Counties.

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

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

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

The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 15th day of February, 1944.

Original

(Decision No. 21944)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF CLEO L. STARKS AND JAMES R. HAYES, PARTNERS, DOING BUSINESS AS "SUBURBAN BUS LINES", COLORADO SPRINGS, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONDUCT BUS SERVICE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE BETWEEN IVYWILD, MANITOU AND COLORADO SPRINGS, COLORADO, ON THE ONE HAND, AND A POINT TWO MILES NORTH OF THE CITY LIMITS OF COLORADO SPRINGS, ON US HIGHWAY NO. 85 ON THE OTHER HAND.

APPLICATION NO. 6552

February 15, 1944

STATEMENT

By the Commission:

On December 2, 1944, applicants herein filed petition for authority to operate as common carriers by motor vehicle for hire in the Colorado Springs area.

The Commission is now in receipt of a communication from attorney for applicants, requesting that said application be dismissed, without prejudice.

After careful consideration of the record, the Commission is of the opinion, and finds, that said request should be granted.

ORDER

IT IS ORDERED:

That the above-styled application be, and the same hereby is, dismissed, without prejudice.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

K D Newman

Edmund E Eversley

Walter Smiston

Commissioners

Dated at Denver, Colorado,
this 15th day of February, 1944.

Original

(Decision No. 21945)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF CARL J. MARTINSON, 1216 PONTIAC STREET, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 6554-PP

February 15, 1944

Appearances: Carl J. Martinson, Denver, Colorado, pro se;
A. A. Brooks, Esq., Denver, Colorado, for the Colorado Transfer and Warehousemen's Association;
T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association;
Harold Swena, Golden, Colorado, for Swena Transfer and Express;
T. J. Trenberth, Idaho Springs, Colorado, for Curnow Livery and Storage Company;
T. A. White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.

S T A T E M E N T

By the Commission:

On December 31, 1943, Carl J. Martinson filed application for authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of road building machinery, farm machinery, lumber, sand, gravel, cement, and stone, between points within a radius of fifty miles of Denver, from and to points in said area, to and from points in the State of Colorado.

At the hearing, in Denver, Colorado, on February 4, 1944, he stated that he had two dump trucks, a pickup, a low bed trailer, and tractor; that he acquired the low bed and tractor recently to haul his machinery and equipment to and from construction jobs; that the volume of his construction work requires use of equipment about one day a week,

only; that if he can acquire the authority here sought, he proposes to haul for all persons desiring his service, and he is confident that he can keep the equipment employed a substantial part of the time; that he desires to serve the public, generally; that he does not have any customers, and would find it somewhat difficult to list them in advance, because service sometimes is on short notice; that he sees no reason why he should be required to list customers, because Weicker and other carriers do not do so and serve anyone who seeks the service.

Protestants offered no testimony, and moved to dismiss the application upon the ground that applicant should have sought authority to operate as a common carrier by motor vehicle for hire, instead of authority to operate as a private carrier for hire.

After careful consideration of the record, the Commission is of the opinion, and finds, that applicant proposes to operate as a common carrier; that the position of protestants is well taken; that said application should be dismissed.

O R D E R

IT IS ORDERED:

That the above-styled application be, and the same hereby is, dismissed.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 15th day of February, 1944.

hs

Original

(Decision No. 21946)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRANK MCCRACKEN, COPE, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE) APPLICATION NO. 6553-PP
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

February 18, 1944.

Appearances: Frank McCracken, Cope, Colorado, pro se;
T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division, of The Colorado Motor Carriers' Association;
George R. Henry, 1230 Walnut St., Denver, Colorado, for Airline Express;
Harry Atteberry, Akron, Colorado, pro se;
E. F. Anderson, Akron, Colorado, pro se;
Carroll Ross, Elba, Colorado, pro se;

S T A T E M E N T

By the Commission:

As limited by the testimony offered at the hearing, at Denver, Colorado, on February 2, 1944, applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of farm produce, including livestock, farm supplies and general merchandise between points within the area extending three miles north, twelve miles south, eight miles east, and thirteen miles west of Anton, Colorado, and from and to points in said area, to and from points within a radius of one hundred miles of Anton.

At the hearing, it appeared that applicant lives three miles south and one mile east of Anton; that he has a 3/4-ton pickup truck, with a capacity of about 3500 pounds; that he can haul two or three head of livestock; that he cannot operate profitably with a pickup, but if the permit is granted, will try to buy a larger truck; that, for a number of months

he has been operating as a Commercial Carrier, and has been buying and selling farm commodities; that, chiefly, he wants to haul grain and livestock, with back-haul of coal, machinery, flour, and similar commodities, from Akron and Denver, with occasional movements of cream to Denver; that he would expect to serve the store at Anton on U. S. Highway No. 36 and the store at Thurman; that said stores now are served by Atteberry or Ross, who operate on schedule; that, so far as he knows, the service is satisfactory; that during harvest season it is difficult to get sufficient number of trucks to serve combines operating in the fields; that he did some hauling for hire during the last harvest.

J. L. Fredericks, who lives twelve miles west and five miles south of Anton, stated that he did not have telephone service; that S. P. MacBeth, a private carrier, who resides about seven miles from his ranch, has been supplying his for-hire service; that during the harvest season of 1943, his grain was not moved for a month, and during the harvest of 1944, it remained on the ground six weeks before he was able to get a trucker to move it; that although apparently applicant resides about thirteen miles from witness' home, while MacBeth lives only seven miles distant, he thinks it would be desirable to have McCracken authorized to serve because, according to witness, he will furnish a more accessible service than services now available. He admitted that he had not sought services of other carriers authorized to serve, and apparently did not know until the week prior to the hearing that airline express and other carriers served on call and demand in the territory.

A. Engle, who lives four miles west of A nton on U. S. Highway No. 36, stated that he thought additional service was needed for movement of grain; that he would like to have a carrier easily available at all times; that Atteberry, A nderson and MacBeth have hauled grain for him; that although his farm is located on the highway, he never has contacted Airline Express, which also has call and demand authority in the area for service.

Glen Willey, who resides about eleven miles west of Anton, has used MacBeth's service during harvest time. He, too, would like an additional service for movement of grain.

Mr. Barfinick, who lives about eighteen or twenty miles from McCracken's place, stated that McCracken hauled grain for him during the last combining season; that Harry Atteberry has hauled stock; that he now has some grain stored on the place; that it would be nice to have a truck in the neighborhood to move the grain as needed.

George R. Henry, Manager of A irline Express, stated that his company had three trailers, two tractors, and two straight jobs; that it serves on schedule on U. S. Highway No. 36 between towns, and has call and demand authority extending twenty miles north and south from said highway; that any store on U. S. Highway No. 36 will notify him if farmers within the area need service, and he will furnish the service within two days.

E. F. Anderson, of Akron, holder of PUC No. 577, stated that he has six trucks, and has been able to and will continue to serve the territory in question when requested. He stated that in addition to carriers already named, Gilcrest and Halbert, residing near Last Chance, about ten miles west of Limon, which is ten miles west of Anton, furnish farm service as private carriers.

Harry Atteberry, PUC No. 458, of Akron, Colorado, stated that he has hauled cattle for Barfinick and Engle, and grain during harvest season for farmers living in the territory applicant seeks to serve.

Carroll Ross, a common carrier, who resides at Elba, five miles north of Anton, testified that he, too, serves the territory; that he has two trucks, and grain loaders; that he makes weekly trips to Denver, and is prepared to furnish service at all times.

All protesting carriers stated that they had no objection to the granting of authority to haul grain during harvest season.

It would seem that upon the record here made, applicant is not entitled to a permit to haul commodities other than grain for hire. While

a number of witnesses testified that they would like to have a local service easily available, the testimony shows that a number of carriers can be contacted more easily than McCracken; that the service on the whole, except for the movement of grain during harvest, has been adequate; that applicant does not now have a truck of sufficient capacity to handle grain or livestock adequately; that protestants do have trucks with sufficient capacity to serve profitably. In view of the present limited supply of trucks and the urgent necessity of using available facilities and presently authorized carriers for for-hire service, it is not desirable to grant the permit for service other than movement of grain during harvest.

Therefore, after careful consideration of the record, the Commission is of the opinion, and finds, that applicant should be authorized to haul grain during harvest season, only, and that the application, in all other respects, should be denied.

O R D E R

IT IS ORDERED:

That Frank McCracken, Cope, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of grain, during harvest season, only, between points within a radius of fifteen miles of Anton, Colorado, and from and to points in said area, to and from points within a radius of 100 miles of Anton, Colorado.

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

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 13th day of February, 1944.

hs

(Decision No. 21947)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
GREAT WESTERN FUEL & HDWE CO)
2001 W. 13th Ave.)
Denver, 4, Colorado.)
)

PERMIT NO. C-1511

February 18, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Great Western Fuel & Hdwe. Co. of 2001 W. 13th Ave. Denver, 4, Colo., requesting that his Permit No. C-1511 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-1511, heretofore issued to Great Western Fuel & Hdwe Co. 2001 W. 13th Ave., Denver 4, Colo. be, and the same is hereby, declared cancelled effective February 9, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thoreau

Edward E. Keeler

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 18th day of February, 1944

(Decision No. 21948)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
THE GREGG IMPLEMENT CO.)
510-514 Cleveland St.) PERMIT NO. C-3242
Loveland, Colorado.)
)

February 18, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from The Gregg Implement Co. of 510-514 Cleveland St. Loveland Colo, requesting that his Permit No. C-3242 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-3242, heretofore issued to The Gregg Implement Co., 510-514 Cleveland St. Loveland, Colo. be, and the same is hereby, declared cancelled effective December 31, 1943.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Sherman

Edward D. Mueller

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 18th day of February, 1944

(Decision No. 21949)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
GEO. SPOMER)
4564 Sherman St.)
Denver, 16, Colorado.)
)

PERMIT NO. C-10372

February 18, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Geo. Spomer of 4564 Sherman St. Denver, 16, Colo., requesting that his Permit No. C-10372 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-10372, heretofore issued to Geo. Spomer, 4564 Sherman St. Denver, 16, Colorado, be, and the same is hereby, declared cancelled effective February 11, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 18th day of February, 1944

(Decision No. 21950)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
CORTEZ FURNITURE CO)
Cortez)
Colorado)
)

PERMIT NO. C-11610

FEBRUARY 18, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Cortez Furniture Co. of Cortez, Colorado, requesting that his Permit No. C-11610 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-11610, heretofore issued to Cortez Furniture Co., Cortez, Colorado, be, and the same is hereby, declared cancelled effective January 1, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thorman

Edwin E. Keefer

Malcom Ericson

Commissioners.

Dated at Denver, Colorado,

this 18th day of February, 1944

(Decision No. 21951)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
ASA E. & ELBERT H. CULLER) PERMIT NO. C-12581
Romeo,)
Colorado.)
)

February 18, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Asa E. & Elbert H. Culler of Romeo, Colorado, requesting that his Permit No. C-12581 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12581, heretofore issued to Asa E. & Elbert H. Culler, Romeo, Colorado, be, and the same is hereby, declared cancelled effective January 11, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Sherman

Edward C. Keller

Malcolm Erickson

Commissioners.

Dated at Denver, Colorado,
this 18th day of February, 1944.

(Decision No. 21952)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JOE MINOLETTI)
447- 3rd Ave.) PERMIT NO. C-14590
Durango, Colorado.)
)

February 18, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Joe Minoletti of 447 - 3rd Ave., Durango Colorado, requesting that his Permit No. C-14590 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14590, heretofore issued to Joe Minoletti, 447 - 3rd Ave., Durango, Colorado, be, and the same is hereby, declared cancelled effective February 14, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry O. Johnson

Edmund H. Mueller

Malcolm Ericksen

Commissioners.

Dated at Denver, Colorado,

this 18th day of February, 1944

(Decision No. 21953)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
JOE JOHNSON) PERMIT NO. C-14634
Aguilar,)
Colorado.)
)

February 18, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Joe Johnson of Aguilar, Colorado, requesting that his Permit No. C-14634 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14634, heretofore issued to Joe Johnson, Aguilar, Colorado, be, and the same is hereby, declared cancelled effective February 14, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry O. Thomas

Dan E. Keller

Malcolm Erickson

Commissioners.

Dated at Denver, Colorado,

this 18th day of February, 1944

(Decision No. 21954)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
LEO ROLLINS)
600 S Lowell)
Denver, 9, Colorado.)
)

PERMIT NO. C-14782

February 18, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Leo Rollins of 609 S Lowell, Denver, 9, Colo., requesting that his Permit No. C-14782 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14782, heretofore issued to Leo Rollins, 609 S Lowell, Denver, 9, Colorado, be, and the same is hereby, declared cancelled effective February 7, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thorman

Edmund E. Mueller

Malcom Ericson

Commissioners.

Dated at Denver, Colorado,

this 18th day of February, 1944

(Decision No. 21955)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
AUGUST HAAS)
4470 Zenobia St.)
Denver 12, Colo.)
)

PERMIT NO. B-2746

February 18, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from August Haas of 4470 Zenobia St. Denver, 12, Colo., requesting that his Permit No. B-2746 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-2746, heretofore issued to August Haas, 4470 Zenobia St., Denver, 12, Colo., be, and the same is hereby, declared cancelled effective February 10, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ Henry D. Thomas

/s/ Edward E. Keller

/s/ Malcom Ericksen

Commissioners.

Dated at Denver, Colorado,

this 18th day of February, 1944.

(Decision 21956)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * * * *

IN THE MATTER OF THE)
APPLICATION OF)
CHESTER LYONS)
3459 Pecos St.)
Denver, 11, Colo.)

APPLICATION NO. 6561-PP

February 18, 1944.

S T A T E M E N T

By the Commission:

On January 28, 1944, by Decision 21880, in Application No. 6561-PP Chester Lyons of 3459 Pecos St. Denver, 11, Colorado, was granted authority to operate as a Class "B" Private carrier by Motor Vehicle for hire.

The Commission is now in receipt of a communication from said applicant requesting that said authority be cancelled.

After careful consideration, the Commissiom is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED:

That the authority granted to Chester Lyons, in Application No. 6561-PP by Decision 21880, be, and the same is hereby, declared cancelled.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado
this 18th day of February 1944.

(Decision 21957)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * * *

RE MOTOR VEHICLE OPERATIONS OF)
JOE MORRIS)
Burns,)
Colorado.)
)

PRIVATE PERMIT NO. B-2925

February 18, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2925 be suspended for a period of six months from January 13, 1944.

After careful consideration, the Commissio is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That Joe Morris, Burns, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-2925 for a period of not to exceed six months from January 13, 1944.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado
this 18th day of February 1944.

(Decision No. 21958)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROCCO DI PAOLO, 1702 LINDEN AVENUE,)
TRINIDAD, COLORADO, FOR AUTHORITY)
TO TRANSFER A PORTION OF AUTHORITY) APPLICATION NO. 6248-A
GRANTED IN APPLICATION NO. 6248 TO)
VINCE CIMINO, TRINIDAD BUS COMPANY,)
ELM STREET, TRINIDAD, COLORADO.)

February 18, 1944

Appearances: Vince Cimino, Trinidad, Colorado, pro se;
Rocco DiPaolo, Trinidad, Colorado, pro se.

S T A T E M E N T

By the Commission:

By Decision No. 20408, dated February 2, 1943, Rocco DiPaolo was granted a certificate of public convenience and necessity to operate a common carrier motor vehicle service for the transportation of:

> passengers between Trinidad, Colorado, and the Army Detention Camp, located about ten miles from Trinidad, and intermediate points.

By Decision No. 20527, of date March 6, 1943, applicant was authorized to extend his operations to include the transportation of:

> passengers for hire over public streets of the City of Trinidad, Colorado.

On October 15, 1943, applicant filed for leave to transfer the authority granted by Decision No. 20408 to Vince Cimino, doing business as "Trinidad Bus Co."

At the hearing, at Trinidad, Colorado, on November 12, 1943, it appeared that transferee has the necessary experience, equipment, and pecuniary responsibility to successfully operate the transportation service authorized under said certificate.

After careful consideration of the record, the Commission is of the opinion, and finds, that the authority sought should be granted.

O R D E R

IT IS ORDERED:

That Rocco DiPaolo, Trinidad, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to the authority granted in Decision No. 20408 for the transportation of passengers between Trinidad, Colorado, and the Army Detention Camp, located about ten miles east of Trinidad, and intermediate points, to Vince Cimino, doing business as "Trinidad Bus Co.", Trinidad, Colorado

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

That said transferor, Rocco DiPaolo, shall retain the operating rights granted by Decision No. 20527.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 18th day of February, 1944.

mw

(Decision No. 21959)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF GEORGE P. ARCHIBALD, DOING BUSINESS AS LIND MOVING AND STORAGE COMPANY, 610 E. 17TH AVENUE, DENVER, COLORADO, AND J. & D. TRANSFER COMPANY, FOR HIMSELF AND OTHERS SIMILARLY SITUATED, FOR EXCEPTION AS TO THE PROVISION OF THE PUBLIC UTILITY ACT, OR A SPECIAL PERMIT THEREUNDER.	APPLICATION NO. 6322

February 19, 1944

Appearances: E. V. Holland, Esq., Denver, Colorado, attorney for applicant;
T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association;
A. A. Brooks, Jr., Esq., Denver, Colorado, for Colorado Transfer and Warehousemen's Association;
T. A. White, Esq., Denver, Colorado, for The Denver and Rio Grande Western Railroad Company and Rio Grande Motor Way, Inc.;
Louis A. Tietgen, Denver, Colorado, for Berkeley Moving and Storage Company;
Harold Swena, Golden, Colorado, pro se;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company.

S T A T E M E N T

By the Commission:

It appears from the records of the Commission and the stenographic notes of the reporter that, at the hearings of the above entitled matter held on May 20 and June 9, 1943, the Weicker Transfer and Storage Company appeared in opposition to the granting of said application, and that said Weicker Transfer and Storage Company was represented by A. J. Fregeau.

It further appears from the records of the Commission that, in writing up Decisions numbered 21674 and 21850, issued by this Commission on December 4, 1943, and January 20, 1944, respectively, the names of said Weicker Transfer and Storage Company and A. J. Fregeau were omitted from

the list of appearances. Mr. Fregeau has now called this omission to the attention of the Commission and has requested that said Decisions 21674 and 21850 be corrected in accordance with the facts and the records of the Commission, to show the appearances of said Weicker Transfer and Storage Company and A. J. Fregeau.

The Commission finds that the records of the Commission and the stenographic notes of the reporter show that the appearances of said Weicker Transfer and Storage Company and A. J. Fregeau were entered at the hearings held May 20 and June 9, 1943; that the clerical error in omitting said names from the list of appearances in Decisions 21674 and 21850 should be corrected by inserting said names in said decisions; and the Commission further finds that the correction of said error will not affect in any way the substantial interests of the applicant or any party to said proceeding.

O R D E R

IT IS THEREFORE ORDERED:

That Decisions numbered 21674 and 21850 be corrected by inserting in the list of appearances the following: "A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company."

That this order shall become effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 19th day of February, 1944.

(Decision No. 21960)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
W. R. HALL, DOING BUSINESS AS "W. R.)
HALL TRANSPORTATION AND STORAGE,") APPLICATION NO. 1301-AB
GRAND JUNCTION, COLORADO, FOR AN)
EXTENSION OF AUTHORITY UNDER PUC)
NO. 345.)

February 21, 1944

Appearances: Eugene H. Mast, Esq., Grand Junction, Colorado, for applicant;
T. A. White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.;
Marion F. Jones, Esq., Denver, Colorado, for M & M Truck Company, R. B. Wilson, H. M. Melton, Nelson Brothers, W. K. Carroll, A. W. Kendall.

S T A T E M E N T

By the Commission:

This matter was heard at Grand Junction, Colorado, on January 5, 1944.

Applicant is the owner of PUC No. 345, and by this application, seeks to extend his service to include the transportation of bulk petroleum products and gasoline by motor vehicle as a common carrier, on call and demand, from Craig, Colorado to Leadville, Colorado, and to all other points within the State of Colorado located west, north and south of Leadville, with the exception of all points within Routt, Jackson, Grand, and Summit Counties.

Exhibit A attached to the application, which contains tariff rates to be charged by applicant if extension is granted, was received in evidence and testified to by applicant as the rates he would charge.

Applicant testified that Exhibit B, which was received in evidence, showing net worth of approximately $96,000.00, was substantially

correct, and that if there was any change, his net worth had increased.

He testified that he had requests from Consumers Gas and Oil, Inc., of Delta, Colorado, Montrose Consumers Oil Corporation, and Mesa County Union Oil Company for service, and letters from these concerns were received in evidence. Applicant also stated that he had inquiries from the Firestone Store in Grand Junction for service on two occasions. The first time, he advised them that he could not render the service, and at the time the second request was made, he filed his application with the Commission. Applicant has been in business for twelve years, and stated that the main source of supply of gasoline and oil for the Western Slope area comes from the Texas Refinery at Craig, and that practically all gas moving into Grand Junction comes from Craig. He stated that the supply at Craig is increasing, due to production from the Wilson Creek Structure.

Under cross-examination, he testified that the only service which he would expect to render to Delta or Montrose would be in case of a breakdown or in case of a surplus demand, and admitted that Nelson Brothers and R. B. Wilson have been transporting for the Texas Company from Craig to Delta. He stated that the impression that the letter from Consumers Gas and Oil Company, Inc., of Delta intended to convey was that the Nelson and Wilson operations did not maintain offices in Grand Junction or Delta. He also stated that Wilson has been transporting for Firestone Store at Grand Junction. It appeared from his evidence also that he has been engaged as a distributor on his own account in the area in which he seeks to serve.

Art Jans, Grand Junction Manager of Forbush Company, dealers in gas, oil and tires, and the largest independent operator in Grand Junction, testified that he did purchase his gas and oil from the Bay Refinery in Denver, but now, due to Government regulations, he receives it from the Texas Company at Craig, through an arrangement entered into between the Texas Company and Bay Refinery. He stated that the Wilson operation now served him, and that although at first he had a little difficulty, the service is now satisfactory, and that either Wilson or

Nelson have been able to take care of him.

C. A. Nelson, of Nelson Brothers, under cross-examination, testified that at present he had three or four pieces of idle equipment; that his equipment is not being used to full capacity, and is in good condition; that this equipment is stationed at Craig, and the only reason it is not in use is because there has not been a demand for it. He stated that at times all his equipment is in use -- approximately fifty percent of the time; that at certain times, there is a back-log of orders, but stated that he was always able to call on other carriers and catch up on his orders immediately.

R. B. Wilson, under cross-examination, testified that his head office was in Denver; that he transports petroleum to the area in question, and that his equipment is used approximately fifty percent of the time; that when a back-log occurs, he calls upon Nelson or Markley, and they are able to handle the situation satisfactorily. He further testified that about six months of the year is "slack season" in the territory involved.

W. K. Carroll, of the Carroll Line, under cross-examination, testified that his office was in Pueblo; that he has not transported into the area involved for about a year, due to orders of The Office of Defense Transportation; that when he did transport petroleum products to this area, he made about eight or ten deliveries a month.

C. A. Nelson, upon direct examination as a protestant, testified that he has eight units of equipment, maintains a complete shop at Craig, and keeps seven five-thousand-gallon units at Craig. He stated that during the busy season he will handle eight or nine loads into the area involved, and that he is unable to operate efficiently without about twenty back orders. He testified postively that he had never had a customer out of gasoline due to his fault, and that he had solicited the Cooperatives at Delta and Montrose, but had been advised that they had their own equipment. His authority covers all the territory covered by the instant application. He also stated that contract carriers serve in this area.

R. B. Wilson testified upon direct examination as a protestant that he maintains offices at Craig, at which point he maintains five pieces of equipment; that he does, at times, have a back-log of orders, but he has always kept gasoline in the tanks of customers without inconvenience. He is the owner of PUC No. 1515, and has authority to serve the area involved in the instant application.

W. K. Carroll testified upon direct examination as a protestant that he is the owner of PUC No. 1497, and is authorized to serve all points in the State; that he has twenty-seven units, ranging from capacities of three thousand to five thousand gallons each; that his equipment is idle approximately fifteen percent of the time.

S. A. Markley, of the M & M Truck Company, owner of PUC No. 1246 authorizing service from and to all points in the State, testified that he had forty units with capacities from four thousand to sixty-three hundred gallons each; that he has served Montrose, Delta, and Eagle Counties, and has carried a few loads to Grand Junction. He stated that he had always transported petroleum products when called upon; that he had used the equipment of Wilson and others only during peak periods when authorized operators were called upon to trade equipment.

C. J. Moberly, of the San Miguel Stage Lines, entered his protest to the granting of the application, but introduced no evidence.

It is not apparent from the testimony that any public convenience and necessity exists for the extension sought in the application. The most that could be said is that there was a desire on the part of the cooperatives who submitted the letters for additional service, but there was no testimony, except very general testimony by applicant, that service of authorized carriers was not satisfactory and did not adequately fulfill public convenience and necessity for the transportation of petroleum products into the area applied for. In fact, the letter of Montrose Consumers Oil Corporation specifically stated that they had been fortunate so far in being able to take care of the situation. No witnesses appeared for any of these consumer organizations, so that they might be subject to cross-examination as to actual requirements, and we

have only the statement of desire expressed in their behalf by letters.

On the other hand, the testimony of protestants went unchallenged to the effect that the service which applicant seeks to perform is now being rendered in an adequate manner by protestants, and that it is only during peak periods that any back-logs of orders accumulate, and even then, by calling upon other authorized carriers, no inconvenience has resulted to consumers in the area involved.

In view of the evidence, the Commission finds that public convenience and necessity do not require the proposed extended motor vehicle transportation service of applicant, and that said application should be denied.

O R D E R

IT IS ORDERED:

That the above-styled application is hereby denied.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

I D Sherman

Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1944.

mw

Original

(Decision No. 21961)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

*****

IN THE MATTER OF THE APPLICATION OF)
LYLE L. WILTSE, AUSTIN, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE) APPLICATION NO. 6533-PP
AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

February 25, 1944

Appearances: Lyle L. Wiltse, Austin, Colorado, pro se;
John P. Helman, Esq., Grand Junction, Colorado, for W. J. Marlow;
Cecil S. Haynie, Esq., Grand Junction, Colorado, for Oscar Redd;
T. A. White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.;
C. J. Moberly, Montrose, Colorado, pro se;
J. W. Hawthorne, Grand Junction, Colorado, pro se;
Roy R. Shultz, Delta, Colorado, pro se;
Orville Dunlop, Montrose, Colorado, pro se.

S T A T E M E N T

By the Commission:

This matter was heard at Grand Junction, Colorado, on January 5, 1944.

Applicant seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal and farm produce within a fifty-mile radius of Austin, Colorado.

Applicant testified that he was engaged in farming, and owned a one and one-half-ton Ford V-8 truck with a 13½ foot coal and grain bed. Upon statements by protestants that they would resist the application, he stated that he would amend his application to include an area only within a twenty-five mile radius of Austin. He owns a thirty-acre farm, and wants to supplement his income by trucking, but does not desire to go into a general trucking business. He has never operated as a trucker before. He stated that he intended to operate in partnership with Larmen Wiltse,

and that the net worth of the partnership is approximately $5,000.00.

No witnesses testified in his behalf as to the need for the service, and it appeared from applicant's testimony that he merely felt he should have a right to engage in trucking operations to supplement his farm income.

W. J. Marlow testified as a protestant that he is the owner of PUC No. 1204, and has authority to transport:

> Fruit, farm produce, and coal within a radius of fifty miles of Cedaredge;

that he maintains two trucks and hires a driver; that one truck is kept busy, and the other is used only a part of the time; that there were no requests for service for which he had been unable to care, and that if a permit were issued to applicant, it would "wreck" his business.

Roy Shultz, of Delta, testified that Carl H. Bement, of Paonia, is the owner of a common carrier certificate covering the territory sought to be served by applicant for coal, and that no additional trucks are necessary for the hauling of coal; that he is the owner of PUC No. 1346, with authority to transport:

> Livestock and produce from a twenty-mile radius of Austin, statewide;

that he maintains five trucks, and that only two of them are kept busy all of the time and the other three part of the time; that there was no demand for additional service of the character applied for by applicant in the Austin territory.

In view of the lack of testimony as to need for the service, and in view of the undisputed testimony of W. J. Marlow that if permit were granted to applicant it would ruin his business, the Commission finds that the application should be denied.

O R D E R

IT IS ORDERED:

That the instant application is hereby denied.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

L D Thomas

Walter Fitzgerald

Commissioners.

Commissioner Wheeler absent.

Dated at Denver, Colorado,
this 25th day of February, 1944.

BH

Original

(Decision No. 21962)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF)
MERLE DE MOSS, HOTCHKISS, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE) APPLICATION NO. 6536-PP
AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

February 23, 1944.

Appearances: Cecil S. Haynie, Esq., Grand Junction, Colorado, for Oscar Redd;
T. A. White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.;
John P. Helman, Esq., Grand Junction, Colorado, for W. J. Marlow;
C. J. Moberly, Montrose, Colorado, pro se;
Roy R. Shultz, Delta, Colorado, pro se.

S T A T E M E N T

By the Commission:

The above matter was called for hearing at Grand Junction, Colorado, on January 5, 1944.

Applicant was not present, either in person or by attorney, but called by telephone just as the matter was being called for hearing, and stated that it was impossible for him to be present, inasmuch as he was attending a sale.

All protestants moved to dismiss the application for lack of prosecution. The motion was taken under advisement.

The Commission finds that the application should be dismissed for lack of prosecution.

O R D E R

IT IS ORDERED:

That the above-styled matter is hereby dismissed for lack of prosecution.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 23rd day of February, 1944.

BH

Original

(Decision No. 21963)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

IN THE MATTER OF THE APPLICATION OF JOHN A. MILLER, ROUTE 3, GRAND JUNCTION, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 6511-PP

February 23, 1944.

Appearances: John A. Miller, Grand Junction, Colorado, pro se;
T. A. White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.;
Cecil S. Haynie, Esq., Grand Junction, Colorado, for Oscar Redd;
J. W. Hayden, Grand Junction, Colorado, for Uintah Stage Line;
James K. Groves, Grand Junction, Colorado, for E. C. Pond.

S T A T E M E N T

By the Commission:

The above matter was heard at Grand Junction, Colorado, on January 5, 1944.

Subsequent to the hearing, however, and under date of January 10, 1944, the Commission received a communication from applicant as follows:

"Dear Sir:

"I would like to cancel the application for a PUC permit, as I do not intend to haul farm products except my own. I do not intend to make a living with this truck."

(Signed) John A. Miller.

In view of applicant's request, the Commission finds that the above-styled application should be dismissed without prejudice.

O R D E R

IT IS ORDERED:

That the above-styled application is hereby dismissed without prejudice.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 23rd day of February, 1944.

BH

(Decision No. 21964)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF ADOLFO CHAVEZ, WESTON, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	)	APPLICATION NO. 6500-PP Supplemental Order

February 23, 1944.

S T A T E M E N T

By the Commission:

On November 20, 1943, by Decision No. 21629, Adolfo Chavez was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

> timber and timber products from forests and sawmills within a radius of fifty miles of Weston, Colorado, to mines and sawmills in said area; farm products, including livestock, farm supplies, used machinery and equipment, between points within a radius of fifteen miles of Weston, Colorado, without the right to haul commodities ordinarily handled by line haul carriers between points served by Sandoval Truck Line on State Highways Nos. 12 and 111, in competition therewith.

He recently asked the Commission to strike or delete from the authority granted the right to haul any commodities other than timber and timber products.

After careful consideration of the record, the Commission is of the opinion, and finds, that request should be granted.

O R D E R

IT IS ORDERED:

That Decision No. 21629 be, and it hereby is, amended by striking all that part of the first paragraph of the Order which follows the semicolon after the word "area" in the fifth line thereof, and that hereafter the

the authority of said Adolfo Chavez under said decision be, and it hereby is, limited to the transportation of timber and timber products from forests and sawmills within a radius of fifty miles of Weston, Colorado, to mines and sawmills in said area.

That said Decision No. 21629, except as herein amended, shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 23rd day of February, 1944.

Commissioner Wheeler absent.

BH

(Decision No. 21965)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

IN THE MATTER OF THE APPLICATION OF WILLIAM C. MOORE, 2919 CHEYENNE AVENUE, PUEBLO, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 6542-PP

February 23, 1944.

Appearances: Buel Lowder, Pueblo, Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing at Pueblo, Colorado, on February 14, 1944, due notice of the time and place of hearing being forwarded to all parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing.

Thereupon, protestant moved that said application be dismissed for lack of prosecution. The matter was taken under advisement.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be dismissed for lack of prosecution.

O R D E R

IT IS ORDERED:

That the above-styled application should be, and the same hereby is, dismissed for lack of prosecution.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 23rd day of February, 1944.

BH

(Decision No. 21966)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF)
ROBERT BROYLES, MODEL, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE) APPLICATION NO. 6564-PP
AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

February 25, 1944.

Appearances: Robert Broyles, Model, Colorado, pro se;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer & Storage Company.

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 milk and cream to Trinidad from points within a radius of ten miles of Model and points within a radius of ten miles of Hoehne, and the Prosser Dairy, located near U. S. Highway No. 350, about one mile east of Trinidad, with back-haul of empty cans.

At the hearing in Trinidad, Colorado, on February 14, 1944, no one appeared in opposition to the granting of the authority sought.

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

It did not appear that the proposed operation will impair the efficiency of any authorized motor vehicle common carrier service.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That Robert Broyles, Model, Colorado, be, and he hereby is,

authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of milk and cream to Trinidad from points within a radius of ten miles of Model and points within a radius of ten miles of Hoehne, and the Prosser Dairy, located near U. S. Highway No. 350, about one mile east of Trinidad, with back-haul of empty cans.

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

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

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

The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 25th day of February, 1944.

BH

(Decision No. 21967)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF)
SAM BROCATO, AGUILAR, COLORADO, FOR)
A CLASS "B" PERMIT TO OPERATE AS A) APPLICATION NO. 6563-PP
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

February 25, 1944.

Appearances: Sam Brocato, Aguilar, Colorado, pro se;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company.

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 milk and cream from points within a radius of fifty miles of Aguilar to La Veta and Trinidad, with back-haul of empty cans.

At the hearing in Trinidad, Colorado, on February 14, 1944, no one appeared in opposition to the granting of the authority sought.

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

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That Sam Brocato, Aguilar, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of milk and cream from points within a radius of fifty miles of Aguilar to La Veta and Trinidad, with back-haul of empty cans.

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

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

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

The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Commissioner Wheeler absent.

Dated at Denver, Colorado,
this 25th day of February, 1944.

BH

(Decision No. 21968)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

IN THE MATTER OF THE APPLICATION OF FRED W. ANDERSON, 321 BONFOY STREET, COLORADO SPRINGS, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 6549-PP

February 23, 1944.

Appearances: Fred W. Anderson, Colorado, Springs, Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from coal mines in El Paso County to the City of Colorado Springs and points within a radius of twenty miles thereof; hay from Park County to Colorado Springs and props from West Creek to the City Mine in El Paso County.

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

The operating experience and pecuniary responsibility of applicant were established to the satisfaction of the Commission, and it did not appear that said area now is being served adequately by authorized motor vehicle carriers, or that the operation, if authorized, will impair the efficiency of the public service of any authorized motor vehicle common carrier.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That Fred W. Anderson, Colorado Springs, Colorado, is hereby authorized to operate as a Class "B" private carrier by motor vehicle for

hire for the transportation of coal from coal mines in El Paso County to the City of Colorado Springs and points within a radius of twenty miles thereof; hay from Park County to Colorado Springs, and props from West Creek to the City Mine in El Paso County.

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

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

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

The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ J. D. Shroman

/s/ Marion G. Wilson

Commissioners.

Dated at Denver, Colorado,
this 23rd day of February, 1944.

Commissioner Wheeler absent.

BH

(Decision No. 21969)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF CLARENCE WAGONER, 525 SOUTH HANCOCK STREET, COLORADO SPRINGS, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 6565-PP

February 23, 1944.

Appearances: Clarence Wagoner, Colorado Springs, Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in El Paso County to Colorado Springs and to farms within the area extending twenty miles north, fifty miles east, thirty-five miles west and twenty-five miles south of Colorado Springs, and beans and corn between points within said area.

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

It did not appear that the operation will impair the efficiency of any authorized motor vehicle common carrier service now serving in said territory.

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

After careful consideration of the record, the Commission is of the opinion, and finds, that the authority sought should be granted, to continue until the termination of the war with Germany and a period of six months thereafter.

O R D E R

IT IS ORDERED:

That Clarence Wagoner, Colorado Springs, Colorado, is hereby

authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in El Paso County to Colorado Springs and to farms within the area extending twenty miles north, fifty miles east, thirty-five miles west and twenty-five miles south of Colorado Springs, and beans and corn between points within said area.

That said authority shall expire and cease upon termination of war between United States of America and Germany.

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

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

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

The authority herein granted is subject to all applicable orders of the Office of Defense transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioner Wheeler absent.

Commissioners.

Dated at Denver, Colorado.
this 23rd day of February, 1944.

(Decision No. 21970)

Original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

IN THE MATTER OF A GENERAL INVESTIGATION OF THE FREIGHT RATES AND CLASSIFICATION OF FREIGHT OF ALL COMMON AND PRIVATE MOTOR VEHICLE CARRIERS.	)	CASE NO. 1585 (Re M.T.C.C.Ass'n. Petition for account Southwestern Trans. Co. Grand County Trans. Co. Milk Rates for account of Swena Transfer and Express and Benecke Truck Line)

February 21, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a petition from The Motor Truck Common Carriers' Association, as agent, for and on behalf of the following motor vehicle common carriers for authority to make the following changes, viz:

"For account of the Southwestern Transportation Company.

To cancel Item No. 1005, providing a rate of 25 cents per 100 pounds on granite, minimum weight 1,000 pounds, from Salida, Colorado to Pueblo, Colorado, and refer to Item No. 1006 which provides a rate of 41 cents per 100 pounds on granite and rough building stone from Cotopaxi and Salida to Canon City, Colorado Springs, Denver, Florence and Pueblo; also a rate of 33 cents per 100 pounds from Canon City, Colorado, to Colorado Springs and Denver, Colorado."

"For account of the Grand County Transportation Company.

To cancel a rate of seven (7) cents per 100 pounds on cement, in sacks, minimum weight 20,000 pounds, from Granby, Colorado, to Grand Lake, Colorado and in lieu thereof permit the cement distance scale of rates apply, which is 9½ cents per 100 pounds, minimum weight 20,000 pounds."

"For account of the Swena Transfer & Express.

To publish the following rates on milk, in 5 or 10 gallon shipping cans. Rates to include return of empty cans.

From Golden Gate Canyon (beginning at a point 3 miles west of Golden, Colorado, on Colorado State Highway No. 58, and extending west to the Jefferson-Gilpin County Line). To Denver, Colorado.

	Rates In Cents Per 5 gal. can.	10 gal. can.	Rates In Cents Per 100 pounds of milk.
5 cans and under	22	33	44
10 " " over 5 cans	22	30	40
15 " " " 10 "	22	27	34
25 " " " 15 "	22	24	30
Over 25 cans	18	18	20."

The only prevailing rates now in effect are class rates, which are prohibitive for the movement of milk, and the proposed rates would be a reduction on the basis of the class rates.

"For account of the Beneke Truck Line.

To publish the following rates on milk and cream from farms and creameries in authorized territory to Denver, Colorado, rates to include the return of empty containers.

Milk - from farms in authorized territory to Denver, 31 cents per 100 pounds of milk

Cream in 10 gallon cans, from creameries in authorized territory to Denver - 31 cents per can. From farms in authorized territory to Denver, 35 cents per can."

The present rates are as follows, viz:

Milk - East and North of Kiowa to Denver - 28¢ per 100 lbs.
" - West of Kiowa to Elizabeth to Denver - 25¢ per 100 lbs.
Cream - Station to Station
5 and 8 gal. cans - 20¢ per can
10 gal. " - 25¢ " "
Cream - from farms to creameries
5 gal. cans - 20¢ per can
8 " " - 25¢ " "
10 " " - 30¢ " "

Findings

The Commission finds that Case No. 1585 should be reopened for further

hearing relative to the matter and things hereinbefore set forth.

O R D E R

IT IS ORDERED:

That Case No. 1585 be, and the same is hereby, reopened for further hearing before the Commission at 10 o'clock A. M., on the 20th day of March, 1944, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, for taking of evidence concerning the matter and things hereinbefore set forth in the statement, hereby referred to and made a part hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1944.

(Decision No. 21971)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF VICTOR J. RIGGS, WESTCLIFFE, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 6543-PP

February 29, 1944.

Appearances: Victor J. Riggs, Westcliffe, Colorado, pro se;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer & Storage Company;
T. A. Stockton, Jr., Esq., Denver, Colorado, for Colorado Trading and Transfer Company;
Troy E. Wade, 349 E. Bennett Ave., Cripple Creek, Colorado, for Midland Terminal Railway.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of ore from Keystone Mine, near Westcliffe, Colorado, to railroad loading points at Cotopaxi or Texas Creek.

At the hearing in Pueblo, Colorado, on February 14, 1944, there was no objection to granting the application as limited.

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

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That Victor J. Riggs, Westcliffe, Colorado, should be, and he hereby is, authorized to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of ore from Keystone Mine, near Westcliffe, Colorado, to railroad loading points at Cotopaxi or Texas Creek.

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

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

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

The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Commissioner Wheeler absent.

Dated at Denver, Colorado,
this 29th day of February, 1944.

BH

(Decision No. 21972)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF)
WALTER H. EVERHART, 908 EAST FIFTH,)
PUEBLO, COLORADO, FOR A CLASS "B") APPLICATION NO. 6544-PP
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

February 25, 1944.

Appearances: Walter H. Everhart, Pueblo, Colorado, pro se;
Buel Lowder, Pueblo, Colorado, pro se;
John Hanson, Westcliffe, Colorado, pro se.

S T A T E M E N T

By the Commission:

As limited by the testimony offered at the hearing in Pueblo, Colorado, on February 14, 1944, applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in Fremont County to the cities of Canon City and Colorado Springs, and to points in Pueblo County, and ore from mines in Custer County to railroad loading points at Cotopaxi and Texas Creek.

At the hearing, it appeared that applicant, at this time, desires to haul coal for Canon-Monarch Coal Company of Florence, Colorado; that said coal moves to Power Company plants in Pueblo, Canon City and Colorado Springs; that, from time to time, he expects to add additional customers. It appeared that, pecuniarily and otherwise, he is qualified to carry on the operation.

Mr. Lowder, in opposition, stated that under his common carrier authority, he operates five trucks of large capacity for transportation of coal; that he engages as extensively as customers obtainable permit in the transportation of coal; that he has filed rate between Canon City and Pueblo of $1.25; that rates of private carriers, so far as he knew, are the same, but he had found coal operators refused to patronize common carriers; that

during the past year his trucks were idle approximately ninety days on account of lack of orders; that about 150 trucks operated by private and commercial carriers are engaged in hauling coal from the Fremont County fields to Pueblo. Mr. Lowder thinks that coal operators have refused to patronize the common carriers because they believe that, if service by common carrier is developed or enlarged, the rate will be definitely stabilized and that if coal business after the war is substantially reduced, they will not be in a position to have the rate for movement of coal also reduced; that they believe they are in a position to force the rates of the private carriers down if the rate is not prescribed by the Commission, and sufficient common carrier service to handle the movement is not available; that common carriers will not purchase more equipment unless they have sufficient business in view to justify the purchase.

The question of movement of coal from Fremont County to points in Pueblo and El Paso Counties has been a difficult one. On a number of occasions, operating carriers have thought it would be desirable to stabilize the rates and have filed petitions with the Commission to prescribe rates for movement of coal. On further consideration, said applications have been withdrawn because operators have believed, in view of our Commercial Carrier Act and the probability coal would be bought and sold instead of hauled for hire if the rates were established or prescribed by the Commission, they would not get any transportation business.

It is obvious that Mr. Lowder's equipment is not sufficient to move all the coal between Canon City and Pueblo. If a denial of this application would insure business for his trucks, it probably would be denied, because we, under the law, are required to encourage development of adequate common carrier service in all communities.

Unless some plan can be definitely developed which, while insuring business for the common carrier, also will insure the satisfactory movement of coal, we believe that no useful purpose will be served by denying an application like the one now before the Commission; that at least for the present, and until such time as adequate common carrier

service can be assured, it will be necessary to grant private carrier applications.

Therefore, after careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That Walter H. Everhart, Pueblo, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in Fremont County to the cities of Canon City and Colorado Springs, and to points in Pueblo County, and ore from mines in Custer County to railroad loading points at Cotopaxi and Texas Creek.

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

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

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

The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ D Thomas

/s/ Malcolm Gibson

Commissioners.

Commissioner Wheeler absent.

Dated at Denver, Colorado,
this 25th day of February, 1944.

BH

(Decision No. 21973)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF VAN W. CLIFTON, 1729 WEST 11TH STREET, PUEBLO, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 6567-PP

February 25, 1944.

Appearances: T. A. Stockton, Jr., Esq., Denver, Colorado, for Colorado Trading and Transfer Company;
Troy E. Wade, 349 E. Bennett Ave., Cripple Creek, Colorado, for Midland Terminal Railway;
Buel Lowder, Pueblo, Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing at Pueblo, Colorado, on February 14, 1944, at 2:00 o'clock P. M., due notice of the time and place of hearing being forwarded to parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing. Thereupon, protestants moved that said application be dismissed for lack of prosecution.

The matter was taken under advisement.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be dismissed for lack of prosecution.

O R D E R

IT IS ORDERED:

That the above-styled matter should be, and the same hereby is, dismissed for lack of prosecution.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioner Wheeler absent.

Dated at Denver, Colorado, this 25th day of February, 1944.

Commissioners.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF J. H. HARRISS, DOING BUSINESS AS "MANZANOLA TRANSFER COMPANY," 2929 EIGHTH AVENUE, PUEBLO, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 461 TO JOHN W. LAW, DOING BUSINESS AS "LAW MOTOR LINES," ROCKY FORD, COLORADO.	APPLICATION NO. 1548-A
IN THE MATTER OF THE APPLICATION OF J. H. HARRISS, DOING BUSINESS AS "MANZANOLA TRANSFER COMPANY," 2929 EIGHTH AVENUE, PUEBLO, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT NO. A-455 TO JOHN W. LAW, DOING BUSINESS AS "LAW MOTOR LINES," ROCKY FORD, COLORADO.	APPLICATION NO. 6545-PP-A
RE MOTOR VEHICLE OPERATIONS OF JOHN W. LAW, DOING BUSINESS AS "LAW MOTOR LINES," ROCKY FORD, COLORADO.	PERMIT NO. B-1062

February 26, 1944.

Appearances: Marion F. Jones, Esq., Denver, Colorado, for the applicants;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company;
T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association.

S T A T E M E N T

By the Commission:

By Decisions Nos. 2782 and 5017, J. H. Harriss, doing business as "Manzanola Transfer Company," was authorized to operate as a common carrier by motor vehicle for hire for:

> the conduct of a transfer, moving and general cartage business within the City of Manzanola and the Counties of Otero, Pueblo, Las Animas, Crowley, Bent, Kiowa, Prowers and Baca, and for occasional service throughout the State of Colorado and in each of the counties thereof, except the transportation of freight between Denver and Manzanola and Rocky Ford, with the proviso that for the transportation of commodities other than household goods between points served singly or in combination by scheduled carriers, he should charge rates, which, in all cases, should be as much as twenty per cent higher than

> those charged by scheduled carriers; that he should not operate on schedule between any points, and that he should not, without authority from the Commission, establish a branch office or have an agent employed in any town or city other than Manzanola for the purpose of developing business.

Also, on May 12, 1933, J. H. Harriss was authorized to operate as a private carrier by motor vehicle for hire:

> between Manzanola, Rocky Ford and Denver and intermediate points, and between Manzanola and the Colorado-Kansas State Line, and between all intermediate points, via U. S. Highway No. 50.

At his request, on November 3, 1943, PUC No. 461 was suspended for a period of six months from October 9, 1943.

He now seeks to reinstate said certificate and to transfer said operating rights, PUC No. 461 and Private Carrier Permit No. A-455, to John Law, doing business as "Law Motor Lines," Rocky Ford, Colorado. He does not desire to transfer his P.U.C. 461-I.

At the hearing in Pueblo, Colorado, on January 20, 1944, it appeared that the consideration for the transfer of said intrastate operating rights is the sum of One Thousand Dollars ($1,000.00) in cash; that said Law is now operating under Private Permit No. B-1062, and also conducts a common carrier operation with headquarters at La Junta, Colorado, under lease of the Lenocker certificate, PUC No. 474.

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

Transferee agreed that in conducting operations under said private carrier authority and said common carrier authority, he, at all times, would comply with the rules and regulations of the Commission, and therefore would not operate as a common carrier and private carrier at the same time with the same equipment.

He also asked that his Private Carrier Permit No. B-1062 be suspended for a period of six months.

After careful consideration of the record, the Commission is of the opinion, and finds, that PUC No. 461 should be reinstated; that

the authority sought to transfer said operating rights (PUC No. 461 and Permit No. A-455) should be granted, and that said Permit No. B-1062 should be suspended for a period of six months from the date hereof, with the proviso that unless said permit is reinstated prior to the expiration of said suspension period, without further action by the Commission, it shall stand revoked, without the right to reinstate.

O R D E R

IT IS ORDERED:

That PUC No. 461 should be, and the same hereby is, reinstated, as of this date.

That J. H. Harriss, doing business as Manzanola Transfer Company, Pueblo, Colorado, should be, and he hereby is, authorized to transfer the authority granted in decisions numbered 2782 and 5017, being PUC No. 461, to John W. Law, doing business as Law Motor Lines, Rocky Ford, Colorado.

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

That J. H. Harriss, doing business as Manzanola Transfer Company, Pueblo, Colorado, should be, and he hereby is, authorized to transfer all his right, title and interest in and to Private Carrier Permit No. A-455 to John W. Law, doing business as Law Motor Lines, Rocky Ford, Colorado.

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

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

That John W. Law, doing business as Law Motor Lines, Rocky Ford, Colorado, should be, and he hereby is, allowed to suspend his operations under Permit No. B-1062 for a period of not to exceed six months from the date hereof.

That unless said John W. Law, prior to expiration of said suspension period, shall reinstate said permit by filing insurance and

otherwise complying with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall stand revoked, without the right to reinstate.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 26th day of February, 1944.

BH

(Decision No. 21975)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

RE MOTOR VEHICLE OPERATIONS OF)
JOHN W. MACK, CRAIG, COLORADO.)

PERMIT NO. A-84

February 29, 1944.

S T A T E M E N T

By the Commission:

On September 2, 1943, by Decision No. 21332, at the request of John W. Mack, his permit, No. A-84, was suspended for a period of not to exceed six months from August 20, 1943, with right to reinstate prior to expiration of said suspension period.

On February 16, 1944, Mack, in writing, requested the Commission to reinstate the permit.

It appears that he has procured the necessary insurance, certificate being filed on February 17, 1944, has filed proper description of equipment, and otherwise is qualified to carry on the operation.

After careful consideration of the record, the Commission is of the opinion, and finds, that said permit should be reinstated and made effective as of date February 17, 1944.

O R D E R

IT IS ORDERED:

That Permit No. A-84 be, and it hereby is, reinstated and made effective as of date February 17, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Commissioner Wheeler absent.

Dated at Denver, Colorado,
this 29th day of February, 1944.

BH

(Decision No. 21976)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF COLORADO RAPID TRANSIT COMPANY, 2130 MARKET STREET, DENVER, COLORADO, FOR AUTHORITY TO TRANSFER A PORTION OF PUC No. 26 TO FRED REIN, JR., DOING BUSINESS AS "REIN MILK TRANSPORT," 747 JACKSON STREET, DENVER, COLORADO.

APPLICATION NO. 1156-AAA

February 29, 1944

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

S T A T E M E N T

By the Commission:

This is an application by Colorado Rapid Transit Company, a corporation, for authority to transfer to Fred Rein, Jr., doing business as "Rein Milk Transport," that part of the certificate of public convenience and necessity (PUC No. 410) acquired by said Company from Lyon and Thompson, pursuant to Decisions Nos. 11831, 12233, and 12517.

At the hearing, at Denver, Colorado, on February 11, 1944, it appeared that, on March 14, 1940, by Decision No. 2783, H. L. Sloan was authorized to transport:

> freight to Denver from the territory extending ten miles east of Keenesburg, fifteen miles south thereof, four miles west thereof, and four miles north thereof, and freight from Denver to points in said territory, and from point to point in said territory.

Subsequently, said certificate, by authority of the Commission (Decision No. 3311), was acquired by Lyon and Thompson, who, thereafter, pursuant to the Commission's decisions aforesaid, transferred the right to the Colorado Rapid Transit Company to transport:

> freight from and to Denver, to and from points within, as well as to points within, the territory described as that part of the territory contained in Certificate No. 410, which lies west of the first section line east of Keenesburg (said west part being described as follows:

> Commencing at a point on the East Section line of Section 26, T 2 N, R 64 W, immediately east of Keenesburg; thence north four miles; thence west eight miles; thence south nineteen miles; thence east eight miles; thence north fifteen miles to the point of beginning,

and also authorized transfer to Carl Thompson, an individual, of:

> the remainder or east portion of Certificate No. 410, which lies east of the first section line east of Keenesburg, (said east portion being described as follows: Commencing at a point on the east section line of Section 26, T 2 N, R 64 W, immediately east of Keenesburg; thence north four miles; thence east ten miles; thence south nineteen miles; thence west ten miles; thence north fifteen miles to the place of beginning.

At the hearing, it appeared that the consideration for the transfer of said operating right and one truck is the sum of Six Thousand Dollars ($6,000.00), payable "ten percent in cash and the balance within ten days after Order of The Public Utilities Commission approving said transfer."

It also appeared that there are no liens or incumbrances outstanding against said operating right or truck; that transferee, pecuniarily and otherwise, is qualified to carry on the proposed operation.

After careful consideration of the record, the Commission is of the opinion, and finds, that the authority sought should be granted.

O R D E R

IT IS ORDERED:

That the Colorado Rapid Transit Company, Denver, Colorado, be, and it hereby is, authorized to transfer to Fred Rein, Jr., doing business as "Rein Milk Transport," Denver, Colorado, all its right, title and interest in and to that portion of PUC No. 26 which was acquired from Lyon and Thompson (being a part of then PUC 410), authorizing the transportation of:

> freight from and to Denver, to and from points within, as well as to points within, the territory described as that part of the territory contained in Certificate No. 410, which lies west of the first section line east of Keenesburg (said west part being described as follows: Commencing at a point on the East Section Line of Section 26, T 2 N, R 64 W, immediately east of Keenesburg; thence north four miles; thence west eight miles; thence south nineteen miles;

thence east eight miles; thence north fifteen
miles to the point of beginning),

said authority to be consolidated with and conducted under PUC No. 454.

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

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 29th day of February, 1944.

mw

(Decision No. 21977)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF)
RALPH SOUTH, ORDWAY, COLORADO, FOR)
AN EXTENSION OF PERMIT NO. B-2624.)

APPLICATION NO. 4964-PP-B
SUPPLEMENTAL ORDER

March 1, 1944.

Appearances: Ralph South, Ordway, Colorado, pro se;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company.

S T A T E M E N T

By the Commission:

On December 23, 1943, the Commission entered its order and decision, No. 21733, granting an extension of Private Carrier Permit No. B-2624, by amending its Decision No. 13412 by changing the words "houses, used box cars and refrigerator cars" in the third line of the first paragraph of the Order, to "buildings".

In amending said decision, the Commission overlooked the fact that applicant asked to amend or change the radius of the service from fifty miles of Ordway, Colorado, to one hundred miles of Ordway, Colorado.

Applicant asks that said orders, Decisions Nos. 13412 and 21733, be further amended to show the extended area.

After careful consideration of the record, the Commission is of the opinion, and finds, that said request should be granted.

O R D E R

IT IS ORDERED:

That the first paragraph of the Order contained in Decision No. 13412, as amended by Decision No. 21733, should be changed to read:

"IT IS THEREFORE ORDERED, That Ralph South, Ordway, Colorado, be, and he hereby is, granted a Class "B" permit to operate as a private carrier by motor

vehicle for hire for the transportation of buildings from point to point within a radius of one hundred miles of Ordway, Colorado; provided, however, that applicant will not use U. S. Highways Nos. 50 and 85, and will, in all events, when using a highway, comply with all highway rules and regulations."

That said Decision No. 13412, except as amended by Decision No. 21733 and this order, shall, in all other respects, remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioner Wheeler absent.

Commissioners.

Dated at Denver, Colorado,
this 1st day of March, 1944.

BH

(Decision No. 21978)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

IN THE MATTER OF THE APPLICATION OF)
JOE VENEZIO, 507 HUDSON STREET,)
PUEBLO, COLORADO, FOR A CLASS "B") APPLICATION NO. 6581-PP
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

March 1, 1944.

S T A T E M E N T

By the Commission:

On January 30, 1941, Joe Venezio, Pueblo, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

> coal, only, from mines in the Florence-Canon City coal fields, and from Huerfano County, to Pueblo, Colorado.

Said permit was cancelled on August 21, 1943, on account of failure of permit-holder to maintain and keep on file a certificate of insurance.

On February 14, 1944, he filed application for reissue of said permit.

Inasmuch as the motor carrier associations heretofore have indicated they have no objection to the granting of permits limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter forthwith without formal notice, upon the records and files herein.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted, permit when issued to bear the number "B-2659," being the number of permit formerly held by applicant.

O R D E R

IT IS ORDERED:

That Joe Venezio, Pueblo, Colorado, be, and he hereby is,

authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal, only, from mines in the Florence-Canon City coal fields, and from Huerfano County, to Pueblo, Colorado.

That said permit, when issued, shall bear the number "B-2659".

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

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

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

The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Commissioners Wheeler absent.

Dated at Denver, Colorado,
this 1st day of March, 1944.

BH

(Decision No. 21979)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

IN THE MATTER OF THE APPLICATION OF)
NATHAN GOLDSTEIN, 2243 LAFAYETTE)
STREET, DENVER, COLORADO, TO LEASE) APPLICATION NO. 3162-PP-AAA-AA
A PORTION OF PERMIT NO. A-787 TO)
DEAN RESLER, STERLING, COLORADO.)

March 1, 1944.

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

S T A T E M E N T

By the Commission:

On July 17, 1934, Permit No. A-787 was issued to William Stuart, authorizing the transportation of freight:

> between Denver and Julesburg, and intermediate points, over Highways 85, 38, and 138; between Fort Lupton vicinity and Trinidad, and intermediate points, over Highway 85; between Fort Lupton vicinity and Wyoming state line, and intermediate points, over Highway 85, and between Denver and Kansas state line, and intermediate points, over Highway No. 40.

Thereafter, on April 23, 1936, Decision No. 7529, said permit was transferred to J. R. Marks and Ralph Stevenson, and later transferred to J. R. Marks, Ralph Stevenson and Tudor J. Marks, doing business as "J. R. Marks Truck Line."

On November 29, 1939, Decision No. 14396, said permit was transferred by the said J. R. Marks Truck Line to Preston Westbrook.

On March 29, 1940, the Commission authorized the transfer by Preston Westbrook of said permit to Nathan Goldstein, Denver, Colorado. Said transfer was duly consummated on April 4, 1940.

On May 15, 1940, said permit, with the consent of the Commission, was leased by Nathan Goldstein for a period of one year, to Bennie Goldstein.

Said Nathan Goldstein now seeks authority to lease that part of

said Permit No. A-787 which authorizes operations:

> between Denver and Julesburg and intermediate points,
> via U. S. Highways Nos. 85, 38 and 138,

to Dean Resler, Sterling, Colorado, Lessee Bennie Goldstein, who apparently is still conducting operations under said permit, to continue to operate under the balance of said authority.

At the hearing, at Denver, Colorado, on February 2, 1944, Bennie Goldstein stated that since the transfer of the permit from Nathan Goldstein, he had been conducting operations over the territory applicant now seeks to lease.

The reports of operations under said permit were made a part of the record. The only operations under said authority from April 3, 1936, to February 14, 1944, shown by the reports are as follows:

> 2 Shipments in April, 1936, from Brighton to Intermountain Elevators, Denver.
> 1 shipment each in October, 1936, from Pueblo to Fowler, Simla, Las Animas, and Lamar, and numerous shipments during the balance of the year 1936 between Denver and Trinidad and intermediate points.
> During the year 1937, one shipment was made from Colorado Springs to Lamar, 5 shipments were made to Cripple Creek from Pueblo, and one shipment each was made from Pueblo to Fairplay and Climax.
> More or less regular service was shown during the year 1937, Denver to Trinidad and intermediate points.
> Reports for the year 1938 show considerable service from Denver to Pueblo, and from Colorado Springs to Pueblo.
> In 1939, regular service was performed between Denver, Colorado Springs, Pueblo, Trinidad, and intermediate points, and one haul was made from Colorado Springs to Greeley on May 29.
> Similarly, reports for 1940 show regular service between Denver and Trinidad and interpediate points, and about one load each month during July, August, October, November and December, from Denver to Aurora and one load from Denver to Adams City in October, 1940.
> During the year 1941, shipments during ten months of the year were regularly made between Denver and Trinidad and intermediate points; one shipment was made to Aurora in August, 1941, from Denver Reports for the year 1942 show regular service between between Denver and Trinidad and intermediate points, and service from Denver to Fitzsimons General Hospital at Aurora during all months of the year, except December, a shipment from Denver to Greeley during May, 1942, and shipments made from Denver to Camp Carson and the Pueblo Air Base under special authority of the Commission which was revoked on October 29, 1942.

From this, it appears that the only service performed under said permit in recent years has been service between Denver and Aurora and Denver and Trinidad, and intermediate points, except a large quantity of terra cotta from Denver to Greeley in May 1942. No service has been performed between Denver and Julesburg and intermediate points, or between Denver and the Kansas State line and intermediate points, except service to Greeley and to Aurora, if they are points intermediate.

The Commission, as a general practice, has not permitted a portion of private carrier authority to be transferred (See Rule No. 7, Private carrier Rules and Regulations).

Definitely, it would appear that there should be no departure from such rule or policy in the instant matter, for to grant the authority sought would, in effect, institute a new operation, or at least authorize a service which long -- almost since the memory of man runneth not to the contrary -- has not been furnished.

Therefore, after careful consideration of the record, the Commission is of the opinion, and finds, that the authority sought should not be granted.

O R D E R

IT IS ORDERED:

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

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners,

Commissioner Wheeler absent.

Dated at Denver, Colorado,
this 1st day of March, 1944.

BH

(Decision No. 21981)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
J. L. LEACH & SONS)
2690 S High St.)
Denver, Colorado.)
)

PERMIT NO. C-7022

March 1, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from J. L. Leach & Sons of 2690 S High St., Denver, Colorado, requesting that his Permit No. C-7022 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-7022, heretofore issued to J. L. Leach & Sons, 2690 S. High St. Denver, Colorado, be, and the same is hereby, declared cancelled effective February 17, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/ Henry D. Sherman

Edward J. Keller

Malcolm Ericksen

Commissioners.

Dated at Denver, Colorado,

this 1st day of March, 1944

(Decision No. 21982)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
NUGGET COAL CO. INC.)
860 N. 3rd St.)
Laramie, Wyoming.)
)

PERMIT NO. C-9161

March 1, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Nuggett Coal Co. Inc. of 860 N. 3rd St., Laramie, Wyoming, requesting that his Permit No. C-9161 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-9161, heretofore issued to Nuggett Coal Co. Inc. 860 N. 3rd St. Laramie, Wyoming. be, and the same is hereby, declared cancelled effective February 19, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/ Henry D. Thompson

Edward D. Keller

Walter Ericksen

Commissioners.

Dated at Denver, Colorado,

this 1st day of March, 1944.

(Decision No. 21980)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
SWENSON LUMBER CO.)
Laramie,) PERMIT NO. C-2064
Wyoming.)
)

March 1, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Swenson Lumber Co. of Laramie, Wyoming, requesting that his Permit No. C-2064 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-2064, heretofore issued to Swenson Lumber Co. Laramie, Wyoming, be, and the same is hereby, declared cancelled effective January 25, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Roberson

Edward E. Keller

Graham Erickson

Commissioners.

Dated at Denver, Colorado,

this 1st day of March, 1944

(Decision No. 21988)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
KERMITH C. AXSOM)
628 Inca St.) PERMIT NO. C-526
Denver, 4, Colo.)
)

March 3, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Kermith C. Axsom of 628 Inca St., Denver, 4, Colo., requesting that his Permit No. C-526 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-526, heretofore issued to Kermith C. Axsom, 628 Inca St. Denver, 4, Colorado, be, and the same is hereby, declared cancelled effective February 25, 1944

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 3rd day of March, 1944

(Decision No. 21989)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
I. WEINREICH)
2830 W. Colfax)
Denver, 4, Colorado.)
)

PERMIT NO. C-7841

March 3, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from I. Weinreich of 2830 W Colfax, Denver, 4, Colo., requesting that his Permit No. C-7841 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-7841, heretofore issued to I. Weinreich, 2830 W. Colfax, Denver, 4, Colorado, be, and the same is hereby, declared cancelled effective February 26, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry O. Johnson

Edward E. Russell

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 3rd day of March, 1944.

(Decision No. 21987)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
HENRY JONES)
Box 62,)
Gardner, Colorado.)
)

PERMIT NO. C-11771

March 1, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Henry Jones of Box 62, Gardner, Colorado, requesting that his Permit No. C-11771 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-11771, heretofore issued to Henry Jones, Box 62, Gardner, Colorado, be, and the same is hereby, declared cancelled effective February 10, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ Henry D. Johnson

/s/ Edward J. Keating

/s/ Malcolm Erickson

Commissioners.

Dated at Denver, Colorado,

this 1st day of March, 1944

(Decision No. 21990)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
WILLIAM GUY HOLBROOK)
Rt. 1.)
Henderson, Colorado.)
)

PERMIT NO. C-14718

March 3, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from William Guy Holbrook of Rt. 1., Henderson, Colorado, requesting that his Permit No. C-14718 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14718, heretofore issued to William Guy Holbrook, Rt. 1, Henderson, Colorado be, and the same is hereby, declared cancelled effective January 1, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 3rd day of March, 1944.

(Decision No. 21991)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
ALEX WOLFE)
4119 W. 42nd Ave.)
Denver, 12, Colorado.)
)

PERMIT NO. B-2863

March 3, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Alex Wolfe of 4119 W 42nd Ave Denver, 12, Colo requesting that his Permit No. B-2863 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-2863, heretofore issued to Alex Wolfe, 4119 W. 42nd Ave., Denver, 12, Colorado, be, and the same is hereby, declared cancelled effective February 26, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Harry S. Johnson

Edward D. Keller

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,
this 3rd day of March, 19 44

(Decision No. 21992)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
STERLING V. ALBERTSON) PERMIT NO. C-12326
302 East 9th Ave.)
Winfield, Kansas.)
)

March 3, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Sterling V. Albertson of 302 East 9th Ave. Winfield, Kansas, requesting that his Permit No. C-12326 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12326, heretofore issued to Sterling V. Albertson, 302 East 9th Ave. Winfield, Kansas be, and the same is hereby, declared cancelled effective February 11, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomson

Edward C. Keller

Malcom Carlson

Commissioners.

Dated at Denver, Colorado,

this 3rd day of March, 1944

(Decision No. 21993)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
COCHRAN'S SERVICE STATION) PERMIT NO. C-12703
Del Norte,)
Colorado.)
)

March 3, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Cochran's Service Station of Del Norte, Colorado, requesting that his Permit No. C-12703 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12703, heretofore issued to Cochran's Service Station, Del Norte, Colorado, be, and the same is hereby, declared cancelled effective February 15, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry R. Johnson

Edward C. Keller

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 3rd day of March, 1944

(Decision No. 21994)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
SCHAEFFER TRUCK LINE) PERMIT NO. C-13185
1420 Market St.)
Denver, 2, Colorado.)
)

March 3, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Schaeffer Truck Line of 1420 Market St., Denver, 2, Colorado, requesting that his Permit No. C-13185 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13185, heretofore issued to Schaeffer Truck Line, 1420 Market St. Denver, 2, Colorado, be, and the same is hereby, declared cancelled effective February 17, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomas

Edward C. Keller

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 3rd day of March, 1944

(Decision No. 21995)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
L. A. PIPER & SONS CO.) PERMIT NO. C-14013
P. O. Box 344,)
Paris, Illinois.)
)

March 3, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from L. A. Piper & Sons Co. of P. O. Box 344, Paris, Illinois, requesting that his Permit No. C-14013 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14013, heretofore issued to L. A. Piper & Co., P. O. Box 344, Paris, Illinois, be, and the same is hereby, declared cancelled effective February 17, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomas

Edward C. Knaebel

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,
this 3rd day of March, 1944

(Decision No. 21996)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
C. E. BENNETT and)
NORMAN GABRIEL)
Rt. 3 Box 61D)
Ft. Collins, Colorado.)

PERMIT NO. C-14618

March 3, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from C. E. Bennett and Norman Gabriel of Rt. 3 Box 61D, Ft. Collins, Colo., requesting that his Permit No. C-14618 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14618, heretofore issued to C. E. Bennett and Norman Gabriel, Rt. 3 Box 61D Ft. Collins, Colorado be, and the same is hereby, declared cancelled effective January 31, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomson

Edward D. Keller

Malcom Ericksen

Commissioners.

Dated at Denver, Colorado,

this 3rd day of March, 19 44

(Decision No. 21997)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
IRL VAN BUSKIRK)
700-12th St.)
Greeley, Colo)
)

PERMIT NO. C-14644

March 3, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Irl Van Buskirk of 700 - 12th St., Greeley, Colo., requesting that his Permit No. C-14644 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14644, heretofore issued to Irl Van Buskirk, 700 - 12th St. Greeley, Colo. be, and the same is hereby, declared cancelled effective February 19, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 3rd day of March, 1944

(Decision No. 21998)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

*****

UNITED STATES OF AMERICA, WAR DEPARTMENT, SEVENTH SERVICE COMMAND, REAL ESTATE, REPAIRS AND UTILITIES BRANCH, Complainant, vs. CITY OF GOLDEN, COLORADO, Defendant.	)	CASE NO. 4911

March 6, 1944.

Appearances: Major Carl George Anderson, 3800 York Street, Denver, Colorado, Lieut. Arthur F. Kayser, 3800 York Street, Denver, Colorado, and H. L. Cory, 3800 York Street, Denver, Colorado, for Complainant; J. E. McCall, Esq., Bank Building, Golden, Colorado, for Defendant; E. B. Evans, Esq., Denver, Colorado, for The Public Utilities Commission of the State of Colorado.

S T A T E M E N T

By the Commission:

The above matter was heard on Motion to Dismiss, at Denver, Colorado, on January 11, 1944.

By complaint filed October 18, 1943, the United States, War Department, Seventh Service Command, Real Estate, Repairs and Utilities Branch, Complainant, filed a complaint before this Commission against the City of Golden, Colorado, as Defendant, alleging that Complainant was engaged in the operation and maintenance of Camp George West, a leased military facility, located near Golden, Colorado; that Golden was engaged in the

supplying of water service to water users outside the corporate limits of the city, and possessed the only available source of water supply for servicing said camp.

The Complainant alleged that it had been endeavoring for several months to negotiate a service contract with the Defendant for the supply of water to Camp George West, and then set forth in its complaint the necessity for a large temporary use of water, and alleged that the rates charged by the City of Golden were in excess of what they should be with respect to users outside of the City of Golden, and set forth a number of reasons therefor.

The Commission, by order entered October 20, 1943, required the Defendant to satisfy or answer within fifteen (15) days from date of service.

Thereafter, and on November 1, 1943, the Defendant filed a Motion to Dismiss, in which it alleged, inter alia:

1. That the petition failed to state a claim upon which relief could be granted;

2. That the Commission had no jurisdiction over Defendant or the subject matter of the proceeding;

3. That the controversy involved in the proceeding was a matter only of construction, or interpretation, or enforcement, or modification of a specific contract entered into between the City of Golden and the United States on or about the first of December, 1942, and as such, a matter to be determined by the courts and not by this Commission.

Attached to the Motion to Dismiss was Exhibit A, purporting to be a contract for the procurement of water entered into between Golden and the War Department, by Ira J. Wharton, Lieutenant Colonel, C. E., Post Engineer of Camp George West.

The Commission set the Motion to Dismiss for oral argument on January 11, 1944, at which time it was heard.

Mr. Cory, representing the Complainant, stated that at the time the complaint was filed, he was not aware that a contract had been

entered into, and that he did not become so aware until the filing of Motion to Dismiss by Defendant, or at least until after the complaint had been filed. He stated that the Post Engineer did have contracting authority, but that contracts so executed by him were to be approved by higher military authorities, and in this instance, the contract was disapproved. He admitted, however, the contract was a valid contract, although the Post Officer had no right to issue executed copies of the same until they were approved. He further stated that the Complainant, in this instance, was chiefly interested in the matter of precedent; that 657 contracts were of record in the Seventh Service Command, and the precedent had been established that wholesale rates should be granted to the Government.

In view of the statement by counsel for Complainant, it seems apparent that the matter is not one within the jurisdiction of this Commission, but merely involves contractural matters between the Complainant and Defendant.

The Commission finds that the Motion to Dismiss should be sustained, and the instant case dismissed.

O R D E R

IT IS ORDERED:

That Motion to Dismiss filed by the City of Golden, Colorado, is hereby sustained, and the instant case is hereby dismissed.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Commissioner Wheeler absent.

Dated at Denver, Colorado,
this 6th day of March, 1944.

BH

(Decision No. 21999)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
EVERETT V. BROWN)
674 S. Newton)
Denver, 9, Colo.)
)

PERMIT NO. C-14757

March 8, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Everett V. Brown of 674 S Newton, Denver, 9, Colo, requesting that his Permit No. C-14757 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14757, heretofore issued to Everett V. Brown, 674 S. Newton, Denver, 9, Colorado, be, and the same is hereby, declared cancelled effective January 27, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry O. Johnson

Edward C. Keller

Malcolm Erickson

Commissioners.

Dated at Denver, Colorado,

this 8th day of March, 1944

(Decision No. 22000)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
FEASTER INSULATION CO.) PERMIT NO. C-14820
Scott City)
Kansas.)
)

March 8, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Feaster Insulation Co. of Scott City, Kansas, requesting that his Permit No. C-14820 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14820, heretofore issued to Feaster Insulation Co. Scott City, Kansas, be, and the same is hereby, declared cancelled effective February 12, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomson

Edward J. Keating

Malcolm Eddleman

Commissioners.

Dated at Denver, Colorado,

this 8th day of March, 1944

(Decision No. 22001)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
CHESTER ZISK)
c/o Mrs. Ed Hollifield)
Nederland, Colorado.)
)

PERMIT NO. C-14840

March 8, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Chester Zisk, c/o Mrs. Ed Hollifield of Nederland, Colorado, requesting that his Permit No. C-14840 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14840, heretofore issued to Chester Zisk, c/o Mrs. Ed Hollifield, Nederland, Colorado, be, and the same is hereby, declared cancelled effective February 17, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry O. Johnson

Edward D. Beadle

Malcolm Erickson

Commissioners.

Dated at Denver, Colorado,

this 8th day of March, 1944

(Decision No. 22002)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
H. S. ELLZEY)
1146 - 11th St.)
Denver, 4, Colo.)
)

PERMIT NO. C-14945

March 8, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from H. S. Ellzey of 1146 - 11th St., Denver, 4, Colo., requesting that his Permit No. C-14945 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14945, heretofore issued to H. S. Ellzey, 1146 - 11th St., Denver, 4, Colo., be, and the same is hereby, declared cancelled effective February 15, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 8th day of March, 1944

(Decision No. 22003)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
F. L. HARPER, INC.) PERMIT NO. A-1396-I
626 Rowan Bldg.)
Los Angeles, Calif.)
)

March 8, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from F. L. Harper, Inc. of 626 Rowan Bldg. Los Angeles Calif., requesting that his Permit No. A-1396-I be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. A-1396-I, heretofore issued to F. L. Harper, Inc. 626 Rowan Bldg., Los Angeles, Calif. be, and the same is hereby, declared cancelled effective February 4, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/ Henry D. Bowman

Edward J. Keller

Malcolm Erickson

Commissioners.

Dated at Denver, Colorado,

this 8th day of March, 1944

(Decision No. 22004)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
HENRY W. WHITMAN)
3718 Franklin St.)
Denver 5, Colo.)
)

PERMIT NO. B-2155

March 8, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Henry W. Whitman of 3718 Franklin St. Denver, 5 Colo, requesting that his Permit No. B-2155 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-2155, heretofore issued to Henry W. Whitman, 3718 Franklin St. Denver, 5 Colo., be, and the same is hereby, declared cancelled effective February 15, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 8th day of March, 19 44

(Decision No. 22005)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
POWER & PETERSEN)
Gibbon)
Nebraska.)
)

PERMIT NO. B-2904-I

March 8, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Power & Petersen of Gibbon, Nebraska, requesting that his Permit No. B-2904-I be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-2904-I, heretofore issued to Power & Petersen, Gibbon, Nebraska, be, and the same is hereby, declared cancelled effective January 26, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 8th day of March, 19 44

(Decision No. 22006)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
RICHARD JAMES TOOLE)
Craig,)
Colorado.)
)

PERMIT NO. A-2922

March 8, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Richard James Toole, of Craig, Colorado, requesting that his Permit No. A-2922 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. A-2922, heretofore issued to Richard James Toole, Craig, Colorado, be, and the same is hereby, declared cancelled effective February 10, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 8th day of March, 1944

(Decision No. 22007)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
DONALD SPENCER)
1422 Mariposa St.)
Denver, 4, Colorado.)
)

PERMIT NO. B-2944

March 9, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Donald Spencer of 1422 Mariposa St. Denver 4, Colo., requesting that his Permit No. B-2944 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-2944, heretofore issued to Donald Spencer, 1422 Mariposa St., Denver, 4, Colorado, be, and the same is hereby, declared cancelled effective February 16, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomas

Edward D. Beasley

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 9th day of March, 1944

(Decision No. 22008)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
V. R. HOOVER) PERMIT NO. C-14714
Lamar,)
Colorado)
)

March 9, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from V. R. Hoover of Lamar, Colorado, requesting that his Permit No. C-14714 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14714, heretofore issued to V. R. Hoover, Lamar, Colorado, be, and the same is hereby, declared cancelled effective February 17, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Abrams

Edward D. Knisely

Walter Ericksen

Commissioners.

Dated at Denver, Colorado,

this 9th day of March, 1944

(Decision No. 22009)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
MOTOROYAL OIL CO) PERMIT NO. C-1995
2120 Delgany St.)
Denver, 2, Colo)
)

March 9, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Motoroyal Oil Co. of 2120 Delgany St. Denver, 2, Colo., requesting that his Permit No. C-1995 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-1995, heretofore issued to Motoroyal Oil Co., 2120 Delgany St. Denver, Colorado, be, and the same is hereby, declared cancelled effective January 31, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ Henry D. Thomson

/s/ Edward D. Keller

/s/ Malcolm Ericsson

Commissioners.

Dated at Denver, Colorado,

this 9th day of March, 1944

(Decision No. 22010)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
GEO. MILLER)
909 N. Kansas,)
Liberal Kansas)
)

PERMIT NO. C-11267

March 9, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Geo. Miller of 909 N. Kansas, Liberal Kansas, requesting that his Permit No. C-11267 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-11267, heretofore issued to Geo. Miller, 909 N. Kansas, Liberal, Kansas, be, and the same is hereby, declared cancelled effective January 28, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ Henry D. Thurman

/s/ Edward J. Keller

/s/ Malcom Ericksen

Commissioners.

Dated at Denver, Colorado,

this 9th day of March, 1944

Original

(Decision No. 22011)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF LEONARD W. ANDEREGG, GRAND JUNCTION, COLORADO, FOR AUTHORITY TO TRANSFER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 1016 TO JOHN W. HAYDEN, GRAND JUNCTION, COLORADO.	))))))	APPLICATION NO. 3638-A

March 11, 1944.

Appearances: Leonard W. Anderegg, Grand Junction, Colorado, pro se;
T. A. White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.

S T A T E M E N T

By the Commission:

By Decision No. 9053, of date December 2, 1936, Leonard W. Anderegg, doing business as "57 Cab Service," Grand Junction, Colorado, was authorized to operate a motor vehicle taxicab service, on call and demand, conditioned upon compliance by said Leonard W. Anderegg with all lawful ordinances and regulations of the City of Grand Junction, for the transportation of passengers:

> From point to Point within a radius of fifty miles of Grand Junction, Colorado, provided, however, that applicant shall maintain a rate for service of ten cents per mile, actual mileage, both ways for each car carrying from one to four passengers, when the point to be served is situated along Highways U. S. 50 and U. S. 24, and make no change in this rate without first notifying the parties making appearance at this hearing and obtaining authority from the Commission to make the change. Between other points the rate or fare shall be that on file with the Commission.

Said Leonard W. Anderegg, doing business as "57 Cab Service," now seeks authority to transfer said operating right (PUC No. 1016) to John W. Hayden, doing business as "Uintah Stage Line," Grand Junction, Colorado.

At the hearing in Denver, Colorado, on March 9, 1944, it appeared that the consideration for transfer of said operating rights, six cars, and office equipment, is the sum of Thirteen Thousand Dollars ($13,000.00); that there are no outstanding unpaid operating obligations against said operation; that transferee, pecuniarily and otherwise, is qualified to carry on the operation. Transferor stated that they desired the transfer to become effective March 13, 1944.

After careful consideration of the record, the Commission is of the opinion, and finds, that said transfer should be authorized.

O R D E R

IT IS ORDERED:

That Leonard W. Anderegg, doing business as "57 Cab Service," Grand Junction, Colorado, should be, and he hereby is, authorized to transfer all his right, title and interest in and to PUC No. 1016 to John W. Hayden, doing business as "Uintah Stage Line," Grand Junction, Colorado.

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

This order shall become effective March 13, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

I C Thomas

Commissioners.

Dated at Denver, Colorado,
this 11th day of March, 1944.

BH

Original

(Decision No. 22012)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF A GENERAL INVESTIGATION OF THE FREIGHT RATES AND CLASSIFICATION OF FREIGHT OF ALL COMMON AND PRIVATE MOTOR VEHICLE CARRIERS.	CASE NO. 1585 (RE: Rates on Livestock via Sorenson Truck Line.)

March 10, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a petition from Chris Sorenson, for and on behalf of Ethel E. Sorenson, doing business as Sorenson Truck Line, requesting authority to make its Motor Freight Tariff No. 1, M.F.I.C.C. No. 1, applicable on Colorado intrastate traffic.

The tariff in question became effective on interstate traffic on February 23, 1944, and its contents is as follows, viz.:

> "Rates provided in this tariff will apply only on Livestock, other than Sheep, fit for slaughter without further feeding or finishing necessary to be classified as 'good' or 'choice', subject to a minimum weight of 16,000 pounds.
>
> "To apply only from Berthoud, Frederick, Gowanda, Hygiene, Longmont, Mead, and Niwot, Colorado, and points within a seven-mile radius of each named point, to Denver, Colorado, except from points east of Frederick or Gowanda, Colorado.
>
> "To include pick-up service at points within the corporate limits of cities or towns. In case of an unincorporated city or town, rates will apply from points located within a one-mile radius of any central location, except, no pick-up will be made at points east of Frederick or Gowanda, Colorado.
>
> "Shipments originating outside of the free pick-up area, but within the seven-mile radius hereinbefore referred to, the following distance rates in cents per 100 pounds will be added to the specific rate provided from the nearest named point:

Distance - Miles	Rate
1 mile and under	2
3 miles and over 1	2 1/2
5 " " " 3	3
7 " " " 5	3 1/2

"When reference is made to this item, originating carrier will pay to the outbound carrier, as part payment of outbound charges, or to the owner of the outbound shipment (subject to the next succeeding paragraph) the amount shown below opposite the rate from point of origin to Denver, Colorado:

When rate in cents per 100 pounds from point of origin to Denver, Colo., is:	Amount in cents per 100 pounts to be paid to outbound carrier or owner will be:
14	9
14 1/2	9
15	10
15 1/2	10
16	10
16 1/2	11
17	11
17 1/2	11
18	12
18 1/2	12
19	12
19 1/2	13

"Shipments of livestock as defined in the first paragraph from points and territory named in second paragraph to Denver, Colorado, for consolidation, sale or speculation will be charged for at full tariff rates (See Notes 1 and 2).

"If after arrival at Denver, Colorado, the livestock is reshipped by the original owner or the new owner to destinations outside of the State of Colorado via either rail or motor lines, the freight charges on the original shipment into Denver, Colorado, will be reduced 65 per cent as shown in the preceding paragraph, and the total amount of such reduction will be paid to the carrier transporting the shipment from Denver, Colorado, to destinations outside of the State of Colorado as part payment of the outbound freight charges when the shipment is prepaid. When the outbound shipment is shipped collect, the refund will be made direct to the owner of the livestock at the time the shipment leaves Denver, Colorado.

"Requests for readjustments must be supported by a copy of the inbound freight bill or bills and a sworn statement showing the date the shipment was forwarded, the destination and the carrier.

"No substituion of livestock will be permitted on shipments forwarded from Denver, Colorado, under the terms, conditions, and rates set forth in this tariff.

"Note 1: Instructions for sale or speculation shall be noted on the original livestock contract and the freight bill, and stops for such purposes shall not otherwise be made except on the original order of the shipper or consignee. Agents will note on freight bills record of the stop and record shall be made of destination carrier on original freight bill.

"Note 2: Shipments cannot be stopped for more than five days, exclusive of Sunday or Legal Holidays, unless otherwise provided.

"All claims will be filed with the origin or destination carrier. Where shipments over more than two carriers are involved (whether such carriers be motor or rail carriers), claims will not be filed with intermediate carrier or carriers.

"All claims for loss or damage should be supported by the following documents: (1) Original bill of lading, if not previously surrendered to carriers; (2) original paid freight (expense) bill; (3) other particulars obtainable in proof of loss or damage claimed.

"Overcharge claims should be supported by the following documents: (1) Original paid freight (expense) bill; (2) Original bill of lading, if not previously surrendered to carrier; (3) weight certificate, or certified statement when claim is based on weight; (4) other particulars obtainable in proof of overcharge claimed.

"Rates in Cents per 100 Pounds

"From	To	Rate
Berthoud, Colo.	Denver, Colo.	16
Frederick, "	" "	14
Gowanda, "	" "	15
Hygiene, "	" "	16
Longmont, "	" "	15
Mead, "	" "	15
Niwot, "	" "	15 "

The proposed rates and rules are to be in addition to those now in effect, thereby permitting the owner to decide, at time shipment is made, whether or not he desires to take advantage of the transit privileges provided in the proposed tariff.

In instances where the shipper does not desire the proposed transit privileges shipments are to be charged for at the rates now in force and effect and on file with the Commission.

The petition states that petitioner will present evidence and testimony in support of his proposal at time of hearing.

The Commission finds that Case No. 1585 should be reopened for further hearing relative to the matter and things hereinbefore set forth.

O R D E R

IT IS ORDERED: That Case No. 1585 be, and the same is hereby, reopened for further hearing before the Commission at 10 o'clock A. M. on the 19th day of April, 1944, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, for taking of evidence concerning the matter and things hereinbefore set forth in the statement, hereby referred to and made a part hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 10th day of March, 1944.

JH

(Decision No. 22013)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF THE DERBY LUMBER COMPANY, DERBY, COLO.

PERMIT NO. C-2509

March 15, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the Derby Lumber Co., of Derby, Colorado, requesting that their Permit No. C-2509 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-2509, heretofore issued to the Derby Lumber Co., be, and the same is hereby, declared cancelled effective, January 27, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ Henry D. Thorman

/s/ Ernest E. Treseler

/s/ Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 15th day of March, 1944

R

(Decision No. 22014)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
HOWARD BROMPTON, BOX 54,) PERMIT NO. C-14664
COLORADO SPRINGS, COLO.)
)
)

Mar. 15, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Howard Brompton of Box 54, Colo. Springs, Colo., requesting that his Permit No. C-14664 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14664, heretofore issued to Howard Brompton, be, and the same is hereby, declared cancelled effective Feb. 15, 1944

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomson

Edward J. Keating

Malcom Ericsson

Commissioners.

Dated at Denver, Colorado,

this 15th day of March, 19 44

R

(Decision No. 22015)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
R. L. COGDELL, BOX 162) PERMIT NO. C-14612
FRASER, COLORADO.)
)
)

Mar. 15, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from R. L. Cogdell of Box 162, Fraser, Colo., requesting that his Permit No. C-14612 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14612, heretofore issued to R. L. Cogdell be, and the same is hereby, declared cancelled effective Feb. 14, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry O. Thomas

Commissioners.

Dated at Denver, Colorado,

this 15th day of March, 19 44

R

(Decision No. 22016)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
W. C. ADAMS, 3610 HIGH CT.,) PERMIT NO. C-14283
WHEATRIDGE, COLO.)
)
)

Mar. 15, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from W. C. Adams of 3610 High Ct., Wheatridge, Colo., requesting that his Permit No. C-14283 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14283, heretofore issued to W. C. Adams, be, and the same is hereby, declared cancelled effective March 10, 1944

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 15th day of March, 19 44

R

(Decision No. 22017)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
ROBERT S. CONNER, OF CORTEZ,) PERMIT NO. C-14203
COLO.)
)
)

March 15, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Robert S. Conner of Cortez, Colorado, requesting that his Permit No. C-14203 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14203, heretofore issued to Robert S. Conner, be, and the same is hereby, declared cancelled effective March 8, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomas

Edward J. Keating

Malcolm Eggleston

Commissioners.

Dated at Denver, Colorado,

this 15th day of March, 1944

R

(Decision No. 22018)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
LOY F. JONES, MONTE VISTA,)
COLO.) PERMIT NO. C-12843
)
)
)

March 15, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Loy F. Jones of Monte Vista, Colorado, requesting that his Permit No. C-12843 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12843, heretofore issued to Loy F. Jones, be, and the same is hereby, declared cancelled effective March 8, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/ Henry D. Thorman

Edward E. Keeler

Malcolm Eggleston

Commissioners.

Dated at Denver, Colorado,
this 15th day of March, 19 44

(Decision No. 22019)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
FREDA, COX, OF ROUTE 4, BOX)
101, GREELEY, COLO.) PERMIT NO. C-12452
)
)
)

Mar. 15, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Freda Cox of Greeley, Colorado, requesting that his Permit No. C-12452 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12452, heretofore issued to Freda Cox, be, and the same is hereby, declared cancelled effective Mar. 9, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ Henry O. Silverman

/s/ Edward C. Keller

/s/ Dalcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 15th day of March, 19 44

(Decision No. 22020)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
J. GEORGE BURK d/b/a QUALITY)
CREAMERY, 118 S. 2nd St.,) PERMIT NO. C-6487
STERLING, COLO.)
)
)

Mar. 15, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from J. George Burk d/b/a Quality Creamery of Sterling, Colorado, requesting that his Permit No. C-6487 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-6487, heretofore issued to J. George Burk d/b/a Quality Creamery, Sterling, Colorado, be, and the same is hereby, declared cancelled effective Feb. 18, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ Henry L. Doherty

/s/ Fred J. Knecht

/s/ Gladden Ericson

Commissioners.

Dated at Denver, Colorado,

this 15th day of March, 1944

R

(Decision No. 22021)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ANDREW J. COBLE, OF SANFORD,)
COLO.) PERMIT NO. C-5769
)
)
)

Mar. 15, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Andrew J. Coble of Sanford, Colo., requesting that his Permit No. C-5769 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-5769, heretofore issued to Andrew J. Coble, be, and the same is hereby, declared cancelled effective March 11, 1944

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry R. Sherman

Edward J. Keller

Malcolm Ericsson

Commissioners.

Dated at Denver, Colorado,
this 15th day of March, 1944

R

(Decision No. 22022)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
C. A. TOZIER, OF RAYMOND,) PERMIT NO. C-2496
WASHINGTON.)
)
)

Mar. 15, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from C. A. Tozier of Raymond, Washington, requesting that his Permit No. C-2496 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-2496, heretofore issued to C. A. Tozier, be, and the same is hereby, declared cancelled effective March 10, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Stevens

Edward D. Keeler

Malcolm Erickson

Commissioners.

Dated at Denver, Colorado,

this 15th day of March, 19 44

R

(Decision No. 22023)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF KERMIT LACY., OF WOODLAND PARK, COLORADO.

PERMIT NO. C-14461

Mar. 15, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Kermit Lacy of Woodland Park, Colorado, requesting that his Permit No. C-14461 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14461, heretofore issued to Kermit Lacy, be, and the same is hereby, declared cancelled effective Mar. 3, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry O. Thomas

Edward E. Keller

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 15th day of March, 19 44

R

(Decision No. 22024)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
JAMES AND GORDON CUMMING, OF) PERMIT NO. C-14309
2046 ROANOKE ST., COLORADO)
SPRINGS, COLO.)
)

Mar. 15, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from James and Gordon Cumming of 2046 Roanoke St., Colorado Springs, Colo., requesting that his Permit No. C-14309 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14309, heretofore issued to James and Gordon Cumming, be, and the same is hereby, declared cancelled effective Feb. 13, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomas

Edward J. Donnelly

Madison Earnshaw

Commissioners.

Dated at Denver, Colorado,
this 15th day of March, 1944

R

(Decision No. 22025)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
HARRY TURNER, 1529 ARAPAHOE) PERMIT NO. C-14221
ST., DENVER, 2, COLORADO.)
)
)

Mar. 15, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Harry Turner of Denver, Colorado, requesting that his Permit No. C-14221 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14221, heretofore issued to Harry Turner be, and the same is hereby, declared cancelled effective Feb. 24, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Harry A. Johnson

Edward C. Keller

Walcom Ericksen

Commissioners.

Dated at Denver, Colorado,

this 15th day of March, 19 44

R

(Decision No. 22026)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF W. C. MITCHELL, 1034 W. OAK ST., FT. COLLINS, COLO.

PERMIT NO. C-14046

March 15, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from W. C. Mitchell of Ft. Collins, Colorado, requesting that his Permit No. C-14046 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14046, heretofore issued to W. C. Mitchell, be, and the same is hereby, declared cancelled effective Feb. 25, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 15th day of March, 19 44

R

(Decision No. 22027)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
THE DRISCOLL CONSTRUCTION CO.,) PERMIT NO. C-13920
220 SOUTH MAIN ST., PUEBLO,)
COLO.)
)

March 15, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from The Driscoll Construction Co., of 220 South Main St., Pueblo, Colo., requesting that his Permit No. C-13920 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13920, heretofore issued to the Driscoll Construction Co., be, and the same is hereby, declared cancelled effective Mar. 2, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Sherman

Edward J. Keller

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 15th day of March, 19 44

(Decision No. 22028)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
BERTIE TOWERS, BURLINGTON,) PERMIT NO. C-854
COLORADO.)
)
)

Mar. 15, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Bertie Towers of Burlington, Colorado, requesting that his Permit No. C-854 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-854, heretofore issued to Bertie Towers, be, and the same is hereby, declared cancelled effective March 1, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

I D Thomas

Melvin Wilson

Commissioners.

Dated at Denver, Colorado,

this 15th day of March, 19 44

R

(Decision No. 22029)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF CONRAD H. SCHAFER, SOUTH ST. LOUIS AVE., LOVELAND, COLO.

PERMIT NO. C-10873

Mar. 15, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Conrad H. Schafer of Loveland, Colorado, requesting that his Permit No. C-10873 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-10873, heretofore issued to Conrad H. Schafer, be, and the same is hereby, declared cancelled effective Mar. 1, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 15th day of Feb., 19 44

R

(Decision No. 22030)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
CARL C. ZEILER, ROUTE 1,) PERMIT NO. C-11021
LOVELAND, COLO.)
)
)

Mar. 15, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Carl C. Zeiler of Loveland, Colorado, requesting that his Permit No. C-11021 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-11021, heretofore issued to Carl C. Zeiler, be, and the same is hereby, declared cancelled effective Feb. 1, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ Henry O. Thorson

/s/ Edward J. Knaebel

/s/ Madame Ericksen

Commissioners.

Dated at Denver, Colorado,
this 15th day of March, 19 44

R

(Decision No. 22031)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
C. L. GALLOWAY, OF) PERMIT NO. C-11917
TORRINGTON, WYOMING.)
)
)

March 15, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from C. L. Galloway of Torrington, Wyoming, requesting that his Permit No. C-11917 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-11917, heretofore issued to C. L. Galloway, be, and the same is hereby, declared cancelled effective Feb. 14, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 15th day of March, 19 44.

(Decision No. 22032)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
EAGLE FLOUR MILLS, 38th &)
WYNKOOP STRS., DENVER, 5, COLO.) PERMIT NO. C-59
)
)

March 15, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the Eagle Flour Mills of Denver, Colorado, requesting that his Permit No. C-59 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-59, heretofore issued to the Eagle Flour Mills, be, and the same is hereby, declared cancelled effective Jan. 1, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Thomson

Edward E. Bradley

Malcolm Ericksen

Commissioners.

Dated at Denver, Colorado,
this 15th day of March, 1944

R

(Decision No. 22033)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
OLIVER BROTHERS) PERMIT NO. C-14423
Norwood,)
Colorado.)
)

March 17, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Oliver Brothers of Norwood, Colorado, requesting that his Permit No. C-14423 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14423, heretofore issued to Oliver Brothers, Norwood, Colorado, be, and the same is hereby, declared cancelled effective February 27, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 17th day of March, 1944

(Decision No. 22034)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
Mr. DAN GLANTZ)
Rt. 1)
Berthoud, Colorado.)
)

PERMIT NO. C-14831

March 17, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Mr. Dan Glantz, of Rt. 1., Berthoud, Colo., requesting that his Permit No. C-14831 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14831, heretofore issued to Mr. Dan Glantz, Rt. 1. Berthoud, Colorado, be, and the same is hereby, declared cancelled effective March 7, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 17th day of March, 1944

(Decision No. 22035)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
EDNA E. CORDER)
Cawker City,)
Kansas.)
)

PERMIT NO. C-13013

March 17, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Edna E. Corder of Cawker City, Kansas, requesting that his Permit No. C-13013 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13013, heretofore issued to Edna E. Corder, Cawker City, Kansas, be, and the same is hereby, declared cancelled effective March 8, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 17th day of March, 1944.

(Decision No. 22036)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
J. H. MATHENY)
Rt. 1.)
Ft. Morgan, Colo.)
)

PERMIT NO. C-11848

March 17, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from J. H. Matheny of Rt. 1., Ft. Morgan, Colo., requesting that his Permit No. C-11848 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-11848, heretofore issued to J. H. Matheny, Rt. 1. Ft. Morgan, Colo. be, and the same is hereby, declared cancelled effective March 6, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 17th day of March, 1944

(Decision No. 22037)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
O. A. WHITEHURST)
DeLeon)
Texas)
)

PERMIT NO. C-10249

March 17, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from O. A. Whitehurst of DeLeon, Texas, requesting that his Permit No. C-10249 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-10249, heretofore issued to O. A. Whitehurst, DeLeon, Texas, be, and the same is hereby, declared cancelled effective March 4, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 17th day of March, 1944

(Decision No. 22038)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
KENNETH THIEL) PERMIT NO. C-9256
527 Brooklyn Ave.)
Beloit, Kansas.)
)

March 17, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Kenneth Thiel of 527 Brooklyn Ave. Beloit Kansas, requesting that his Permit No. C-9256 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-9256, heretofore issued to Kenneth Thiel, 527 Brooklyn Ave., Beloit, Kansas, be, and the same is hereby, declared cancelled effective January 14, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 17th day of March, 1944.

(Decision No. 22039)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
J. A. PATTERSON)
1313 Nevada Ave.)
Trinidad, Colo.)
)

PERMIT NO. C-6565

March 17, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from J. A. Patterson of 1313 Nevada Ave., Trinidad, Colo., requesting that his Permit No. C-6565 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-6565, heretofore issued to J. A. Patterson, 1313 Nevada Ave. Trinidad, Colo. be, and the same is hereby, declared cancelled effective February 26, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 17th day of March, 1944

(Decision No. 22040)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
PAUL BITTER) PERMIT NO. C-5016
423 N. Walnut St. Box 115)
Hoisington, Kansas.)
)

March 17, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Paul Bitter, of 423 N Walnut Box 115 Hoisington, Kansas, requesting that his Permit No. C-5016 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-5016, heretofore issued to Paul Bitter, 423 N. Walnut Box 115 Hoisington, Kansas, be, and the same is hereby, declared cancelled effective February 22, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 17th day of March, 1944

(Decision No. 22041)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
BAY PETROLEUM CORPORATION.) PERMIT NO. C-4495
)
)
)

Mar. 17, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the Bay Petroleum Company of Box 957, Denver, Colorado, requesting that his Permit No. C-4495 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-4495, heretofore issued to the Bay Petroleum Company, be, and the same is hereby, declared cancelled effective March 6, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry O. Johnson

Edward E. Keller

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 17th day of March, 1944

R

(Decision No. 22042)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
EDWARD ALTENBERN, OF) PERMIT NO. C-2398
DeBEQ UE, COLORADO.)
)
)

Mar. 17, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Edward Altenbern of DeBeque, Colorado, requesting that his Permit No. C-2398 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-2398, heretofore issued to Edward Altenbern, be, and the same is hereby, declared cancelled effective March 4, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomas

Edward E. Keeler

Malcolm Ericksen

Commissioners.

Dated at Denver, Colorado,

this 17th day of March, 19 44

R

(Decision No. 22043)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
PURL AND LEONARD BLUE, ROUTE 4, BOX 100, GREELEY, COLO.) PERMIT NO. C-14780
)
)
)

March 17, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Purl and Leonard Blue of Greeley, Colorado, requesting that his Permit No. C-14780 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14780, heretofore issued to Purl and Leonard Blue, be, and the same is hereby, declared cancelled effective February 28, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 17th day of March, 19 44

R

(Decision No. 22044)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
RUSSELL STOVER CANDIES, 2015) PERMIT NO. C-14490
ARAPAHOE ST., DENVER, 2, COLO.)
)
)

Mar. 17, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Russell Stover Candies of Denver, Colorado, requesting that his Permit No. C-14490 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14490, heretofore issued to Russell Stover Candies, be, and the same is hereby, declared cancelled effective Mar. 2, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomas

Commissioners.

Dated at Denver, Colorado,

this 17th day of March, 19 44

R

(Decision No. 22045)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE H. SMITH, 2005 ELMIRA,)
AURORA, 8, COLORADO.)
)
)
)

PERMIT NO. C-14604

March 17, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from George H. Smith of Aurora, Colorado, requesting that his Permit No. C-14604 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14604, heretofore issued to George H. Smith, be, and the same is hereby, declared cancelled effective March 1, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 17th day of March, 19 44

R

(Decision 22046)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * * * *

IN THE MATTER OF THE)
APPLICATION OF)
WESLEY C. WILLIAMS)
5840 W Race Ave.) APPLICATION NO. 6433-PP
Chicago, Ill.)

March 17, 1944.

S T A T E M E N T

By the Commission:

On October 18, 1943, by Decision No. 21463, in Application No. 6433-PP Wesley C. Williams, 5840 W Race Ave. Chicago, Illinois, was granted authority to operate as a Class "B" private carrier by Motor Vehicle for hire.

The Commission is now in receipt of a communication from said applicant requesting that said authority be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED:

That the authority granted to Wesley C. Williams, in Application No. 6433-PP by Decision No. 21463, be, and the same is hereby, declared cancelled effective March 4, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado
this 17th day of March 1944.

(Decision No. 22047)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
JOHN WILLIAM DONELSON, 1501) PERMIT NO. B-2926
PEORIA ST., AURORA, 8, COLO.)
)
)

March 17, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from John William Donelson of Aurora, Colorado, requesting that his Permit No. B-2926 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-2926, heretofore issued to John William Donelson, be, and the same is hereby, declared cancelled effective March 1, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomas

Edward E. Keller

Malcolm Erickson

Commissioners.

Dated at Denver, Colorado,

this 17th day of March, 19 44

R

(Decision No. 22048)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

RE MOTOR VEHICLE OPERATIONS OF)
A. H. HOUSER, ROUTE 1, BOX 63,)
FORT COLLINS, COLORADO.)

CASE NO. 31544-Ins.
PERMIT NO. C-13658

March 15, 1944.

S T A T E M E N T

By the Commission:

On March 1, 1944, in Case No. 31544-Ins., the Commission entered an order cancelling the above-numbered permit for failure of respondent to keep on file the required certificate of insurance.

The Commission is now in receipt of a communication from respondent's insurance agent, stating that insurance has, at all times, been in effect, but due to oversight on the part of insurance company, certificate of insurance was not filed with this Commission.

Respondent requests that order of cancellation be set aside, and Permit No. C-13658 restored to its active status.

O R D E R

IT IS ORDERED:

That Permit No. C-13658 be, and the same hereby is, reinstated, as of March 1, 1944, revocation order entered in Case No. 31544, under date of March 1, 1944, being hereby set aside, cancelled and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 15th day of March, 1944.

BH

(Decision No. 22049)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

RE MOTOR VEHICLE OPERATIONS OF)
HYMAN RUBIN, 1481 JULIAN STREET,)
DENVER, COLORADO.)

CASE NO. 31567-Ins.
PERMIT NO. C-13224

March 15, 1944.

S T A T E M E N T

By the Commission:

On March 1, 1944, in Case No. 31567-Ins., the Commission entered an order cancelling the above-numbered permit for failure of respondent to keep on file the required certificate of insurance.

The Commission is now advised that effective insurance has, at all times, been in effect, but insurance agent failed to file certificate of insurance with the Commission. Said certificate of insurance is now on file, and permittee requests that cancellation order be set aside.

After careful consideration of the record, the Commission is of the opinion, and finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That Permit No. C-13224 be, and the same hereby is, reinstated, as of March 1, 1944, said cancellation order of date March 1, 1944, being hereby set aside, cancelled, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ J. D. Thurman

Walter Morrison

Commissioners.

Dated at Denver, Colorado,
this 15th day of March, 1944.

BH

(Decision No. 22050)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
E. D. Secrist)
4849 W Custer)
Denver, 9, Colo.)
)

PERMIT NO. B-3026

March 17, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from E. D. Secrist of 4849 W Custer, Denver, 9, Colo., requesting that his Permit No. B-3026 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-3026, heretofore issued to E. D. Secrist, 4849 W Custer, Denver, 9, Colorado, be, and the same is hereby, declared cancelled effective February 28, 1944

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 17th day of March, 1944

(Decision No. 22051)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
PETE KLAY)
c/o Cornelia A. Gale)
Gale Insurance Agency-Toller Bldg
236 W Main, Trinidad, Colo.)

PERMIT NO. C-12556

March 17, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Pete Klay - c/o Cornelia A. Gale, Gale Insurance Agency Toller Bldg 236 W Main Trinidad, Colo, requesting that his Permit No. C-12556 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12556, heretofore issued to Pete Klay (c/o Cornelia A Gale, Gale Insurance Agency Toller Bldg. 236 W Main St. Trinidad, Colo. be, and the same is hereby, declared cancelled effective March 4, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Johnson

Edward E. Gunter

Marion Erickson

Commissioners.

Dated at Denver, Colorado,

this 17th day of March, 1944

(Decision No. 22052)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
FRED WAYT)
726 N Main St.)
Pueblo, Colo.)
)

PERMIT NO. C-6387

March 17, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Fred Wayt of 726 N Main St., Pueblo, Colorado, requesting that his Permit No. C-6387 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-6387, heretofore issued to Fred Wayt, 726 N. Main St. Pueblo, Colorado, be, and the same is hereby, declared cancelled effective February 29, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thurman

Edward E. Knebler

Malcolm Eckstrom

Commissioners.

Dated at Denver, Colorado,

this 17th day of March, 1944

(Decision No. 22053)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
MERRILL A. BAUGHN)
Walden,)
Colorado.)
)

PERMIT NO. C-14901

March 17, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Merrill A. Baughn of Walden, Colorado, requesting that his Permit No. C-14901 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14901, heretofore issued to Merrill A. Baughn, Walden, Colorado, be, and the same is hereby, declared cancelled effective February 28, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 17th day of March, 1944

(Decision No. 22054)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
F. C. BOOTH)
1400 Verbena) PERMIT NO. C-14673
Denver, 7, Colo.)
)

March 17, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from F. C. Booth of 1400 Verbena, Denver7 Colo., requesting that his Permit No. C-14673 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14673, heretofore issued to F. C. Booth, 1400 Verbena, Denver, 7, Colorado, be, and the same is hereby, declared cancelled effective February 8, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry L. Doherty

David C. Keller

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 17th day of March, 1944

(Decision No. 22055)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
LEE E. SNYDER)
6414 Wheatstone St.)
San Diego, California)
)

PERMIT NO. B-2058

March 17, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Lee E. Snyder of 6414 Wheatstone St. San Diego, Calif., requesting that his Permit No. B-2058 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-2058, heretofore issued to Lee E. Snyder, 6414 Wheatstone St. San Diego, California, be, and the same is hereby, declared cancelled effective February 29, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Johnson

Duncan E. Weeks

Malcolm Edmonson

Commissioners.

Dated at Denver, Colorado,

this 17th day of March, 1944.

(Decision No. 22066)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
LEE E. SNYDER)
6414 Wheatstone St.)
San Diego, California)
)

PERMIT NO. C-1844

March 17, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Lee E. Snyder of 6414 Wheatstone St. San Diego, Calif., requesting that his Permit No. C-1844 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-1844, heretofore issued to Lee E. Snyder, 6414 Wheatstone St. San Diego, California, be, and the same is hereby, declared cancelled effective February 29, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry R. Silverman

Edward E. Keller

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,
this 17th day of March, 1944

(Decision 22057)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * * * *

IN THE MATTER OF THE)
APPLICATION OF)
GILBERT BACA) APPLICATION NO. 6477-PP
Center, Colorado)
- - - - - - - - - - - -)

March 17, 1944.

S T A T E M E N T

By the Commission:

On November 5, 1943, in Application No. 6477-PP, Decision No 21547 Gilbert Baca, Center, Colorado was granted authority to operate as a Class "B" private carrier by motor vehicle for hire. However, the application was never completed and permit was not issued.

Now the Commission is in receipt of a request to suspend the authority for the duration of the present war and six months thereafter.

Therefore the Commission finds that said request should be granted.

O R D E R

IT IS ORDERED:

That Gilbert Baca, Center, Colorado, be and he is hereby authorized to suspend the authority granted in Application 6477-PP Decision No. 21547, for the duration of the present war and six months thereafter.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado
this 17th day of March 1944.

(Decision 22058)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
K. H. THIEL)
527 Brooklyn Ave.)
Beloit, Kansas.) PRIVATE PERMIT NO. B-2717

March 17, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2717 be suspended for the duration of the present war and six months thereafter.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That K. H. Thiel, 527 Brooklyn Ave., Beloit, Kansas, be, and he is hereby authorized to suspend his operations under Permit No. B-2717 for the duration of the present war and six months thereafter.

That unless said K. H. Thiel shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado
this 17th day of March 1944.

(Decision 22059)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * * * *

RE MOTOR VEHICLE OPERATIONS OF)
ROLAND AND JAMES HIGGINS)
La Junta,)
Colorado)

PRIVATE PERMIT NO. B-2403

March 17, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2403 be suspended for the duration of the present war and six months thereafter.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That Roland and James Higgins of La Junta, Colorado, be and they are hereby, authorized to suspend their operations Under Permit No. B-2403 for the duration of the present war and six months thereafter.

That unless said Roland and James Higgins shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado
this 17th day of March 1944.

(Decision No. 22060)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
KARL BODDY)
2500 S. Washington St.)
Denver, 10, Colo.)
)

PERMIT NO. C-12553

March 17, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Karl Boddy of 2500 S. Washington St. Denver 10 Colo, requesting that his Permit No. C-12553 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12553, heretofore issued to Karl Boddy, 2500 S. Washington St. Denver, 10, Colo. be, and the same is hereby, declared cancelled effective March 8, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 17th day of March, 1944

(Decision No. 22061)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
SPEKEN FURNITURE CO) PERMIT NO. C-14555
217 S Union)
Pueblo, Colo.)
)

March 17, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Speken Furniture Co. of 217 S. Union, Pueblo Colo., requesting that his Permit No. C-14555 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14555, heretofore issued to Speken Furniture Co. 217 S. Union, Pueblo, Colo. be, and the same is hereby, declared cancelled effective March 14, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 17th day of March, 1944

(Decision No. 22062)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
HOPKINS TRUCKING CO.) PERMIT NO. B-2612-I
Ponca City,)
Oklahoma.)
)

March 17, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Hopkins Trucking Co. of Ponca City, Oklahoma, requesting that his Permit No. B-2612-I be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-2612-I, heretofore issued to Hopkins Trucking Co., Ponca City, Oklahoma, be, and the same is hereby, declared cancelled effective March 10, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 17th day of March, 1944.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
GUINN M. WEBB)
257 S Jackson St.) PRIVATE PERMIT NO. B-2973
Denver, 6, Colo.)

March 17, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2973 be suspended for the duration of the present war and six months thereafter.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That Guinn M. Webb, 257 S. Jackson St. Denver 6, Colorado, be, and he is hereby authorised to suspend his operations under Permit No. B-2973 for the duration of the present war and six months thereafter.

That unless said Guinn M. Webb shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomas

Edward E. Keller

Malcom Erickson

Commissioners.

Dated at Denver, Colorado
this 17th day of March 1944.

(Decision 22064)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
SI LOCKHART)
Steamboat Springs) PRIVATE PERMIT NO. B-2082
Colorado.)

March 17, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2082 be suspended for a period of six months, from March 7, 1944.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That Si Lockhart of Steamboat Springs, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-2082 for a period of not to exceed six months from March 7, 1944.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners,

Dated at Denver, Colorado
this 17th day of March 1944.

(Decision No. 22065)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE FREE OF CHARGE TRANSPORTATION BY THE DENVER AND SALT LAKE RAILWAY COMPANY FROM OAK HILLS, COLORADO, TO THE DENVER COMMUNITY CHEST, DENVER, COLORADO.	)	MISCELLANEOUS DOCKET NO. 190

March 16, 1944

S T A T E M E N T

By the Commission:

This matter is before the Commission upon letters from The Denver and Salt Lake Railway Company, by F. J. Toner, its Traffic Manager, dated March 9, 1944, and March 14, 1944, requesting authority to transport two carloads of coal from Oak Hills, Colorado, free of charge, on account of charity.

The shipments in question have been donated by shippers on the line of The Denver and Salt Lake Railway Company, for use of various agencies of the Denver Community Chest and the Denver Community Chest Office Building, a charitable institution, and are to be used for charity.

Section 17, paragraph (c) of The Public Utilities Act provides that the Commission may, by rule or order, authorize carriers to depart from their published tariff rates.

After full consideration of the facts as set forth, the Commission finds that the requests should be authorized.

O R D E R

IT IS THEREFORE ORDERED, That The Denver and Salt Lake Railway Company be, and it is hereby, authorized to protect a free rate on two carloads of coal from Oak Hills, Colorado, to Denver, Colorado, consigned to the Denver Community Chest, in care of the United Fuel and Equipment Company, Denver, Colorado.

IT IS FURTHER ORDERED, That this order shall not be used as a precedent for other cases of a similar nature.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 16th day of March, 1944

JH

FORM 1801

THE DENVER AND SALT LAKE RAILWAY CO.

OFFICE OF TRAFFIC MANAGER

DENVER, COLORADO 2

F. J. TONER
TRAFFIC MANAGER

March 14, 1944

6

Public Utilities Commission of the
State of Colorado,
State Office Building,
Denver, Colorado.

Gentlemen:

A carload of coal has been donated by one of the operators on our line to the Denver Community Chest for use of various Chest Agencies and the Denver Community Chest Office Building. This car will be consigned to the Denver Community Chest in care of the United Fuel & Equipment Company.

In view of the above, we shall be pleased to haul this car of coal free of charge from the mine at Oak Hills, Colorado to Denver and we request your authority in line with Section 17-C of the Public Utilities Act to grant this free billing.

If consistent, we shall appreciate receiving this authority in duplicate.

Yours truly,

A.

F. J. Toner

B.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO
FILED
MAR 15 1944

4

FORM 1801

Dec. 22065
M.U. 190.

THE DENVER AND SALT LAKE RAILWAY CO.

OFFICE OF TRAFFIC MANAGER

DENVER, COLORADO 2

F. J. TONER
TRAFFIC MANAGER

March 9, 1944



Public Utilities Commission of the
State of Colorado,
State Office Building,
Denver, Colorado.

Gentlemen:

A carload of coal has been donated by one of the operators on our line to the Denver Community Chest for use of various Chest Agencies and the Denver Community Chest Office Building. This car will be consigned to the Denver Community Chest in care of the United Fuel & Equipment Company.

In view of the above, we shall be pleased to haul this car of coal free of charge from the mine at Oak Hills, Colorado to Denver and we request your authority in line with Section 17-C of the Public Utilities Act to grant this free billing.

If consistent, we shall appreciate receiving this authority in duplicate.

Yours truly,

A.

F. J. Toner
B

(Decision No. 22066)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

IN THE MATTER OF THE APPLICATION OF)
DAVID SMALL, BENNETT, COLORADO, FOR) APPLICATION NO. 1579-AB
AN EXTENSION OF PUC NO. 559.)

March 20, 1944.

Appearances: Marion F. Jones, Esq., Denver, Colorado, for applicant;
T. A. Stockton, Jr., Esq., Denver, Colorado, for P. M. Stewart;
Fred Rein, 445 Ogden St., Denver, Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to extend his operations under PUC No. 559 to include the right to transport milk to Aurora and Denver from a strip of territory "two miles wide on both the north and south sides of Highway No. 40 between Denver and a point on U. S. Highway No. 40 eleven miles east thereof," and the transportation of grain and livestock between points in the area extending three miles east, twelve miles north, eight miles west, five miles south of Watkins, and from and to points in said area, to and from Aurora and Denver, Colorado.

The application for an extension of certificate largely was based upon the contention that Applicant Small began operations as a carrier of milk for hire about the year 1922, which date, he contended, was prior to the inauguration of for-hire operations by those now authorized to serve the territory which he seeks to serve; that in July, 1931, he and one Roy Small were issued Permit No. A-36, which, in terms, authorized the transportation of milk from five miles east of Watkins, then north five miles, then to Aurora and into Denver; that said permit was transferred to Jess McKinster, pursuant to authority granted on December 6, 1935, in Decision No. 6888, the authority at the request of parties being clarified to show transferee would have right to transport:

milk to Aurora and Denver from a territory described as: one mile east of Watkins, along U. S. Highway No. 40, thence north eight miles, thence west four miles, thence south three miles, by way of county roads, and by way of U. S. Highway No. 40, to Aurora and Denver.

On April 21, 1931, by Decision No. 3356, one Charles W. Hewes was authorized to transport:

milk to Denver and intermediate points as follows: Commencing at a point 11 miles east of Denver on the Adams-Arapahoe County Line, thence north 1 mile, thence east 2 miles, thence north 7 miles, thence east 11 miles, thence north four miles, thence east 2 miles, thence south 4 miles, thence east 1 mile, thence south 13 miles, thence west 16 miles, thence north 5 miles to point of beginning.

Pursuant to authority contained in Decision No. 12083, of date July 5, 1938, said David Small acquired the operating rights of Hewes.

On January 10, 1940, pursuant to authority contained in Decision No. 14615, David Small acquired Permit No. A-36, said authority having been amended and extended while said permit was owned by McKinster to read:

1 mile east of Watkins, along U. S. Highway No. 40, thence north 8 miles, thence west 4 miles, thence south 8 miles, by way of county roads, and by way of U. S. Highway No. 40, to Aurora and Denver, and the transportation of grain and livestock to and from points within the territory extending 3 miles east, 12 miles north, 8 miles west, and 5 miles south of Watkins, to and from Aurora and Denver, via county roads within said area, and to Aurora and Denver, via U. S. Highway No. 40.

Applicant stated that when he began operations in 1922, he picked up milk as far as Denver and a number of miles north and south of the highway and east as far as Watkins; that he thought his permit covered the territory he was serving, although said permit as heretofore stated shows the territory described originally as:

From five miles east of Watkins, thence north five miles, then to Aurora and into Denver;

that after sale of permit to McKinster, he re-acquired it from McKinster because he thought it gave him more authority than he had under his certificate acquired from Hewes; that he has six shippers in the territory which he seeks formal authority to serve; that they all reside within three miles of Aurora, and within two miles of U. S. Highway No. 36; that, in effect,

he here seeks to extend his Permit No. A-36, and to convert the authority, as extended, to that of a common carrier; that his operations for movement of grain and livestock under his Permit No. A-36, in effect, amount to common carrier operations; that he now leases a common carrier certificate from Flanders, which authorizes service similar to that authorized by his Permit No. A-36.

It also appeared that on January 8, 1943, applicant filed his petition for extension of authority under his Permit No. A-36 to include authority to perform substantially the same service as a private carrier which he now seeks to obtain under the instant application; that said matter was heard in Denver, Colorado, on June 29, 1943, and, by Decision No. 21460, application for extension was denied, the testimony of applicant at said hearing being substantially the same as his testimony and that of supporting witnesses at the hearing on application to extend his certificate.

The application was opposed by P. M. Stewart, who also opposed the application to extend authority under Permit No. A-36, and by Fred Rein. From their testimony, it appeared that Stewart, with authority to haul freight and express, generally, had been serving the territory extending 11 miles east of Aurora and 3 miles north and 2 miles south of U. S. 40, for over twenty years, and that Fred Rein, a milk hauler, under his PUC No. 527, is authorized to serve the territory extending east from the Denver city limits to KOA. They furnish daily service. Apparently their milk customers are adequately served, and they are in a position to satisfactorily serve the cust@mers whom applicant seeks to serve under the extension.

As heretofore stated, applicant's case largely is predicated upon the theory that he served the customers named while he was operating as a private carrier before the transfer of permit to McKinster, and therefore his authority should be clarified and extended to permit him to serve them now.

The Commission, in effect, by its Decision No. 21460, in application for extension of authority under Permit No. A-36, refused to recognize the legality or justness of this contention, and, also, an examination

of the files and records shows that upon the testimony offered at the hearing on transfer of Small permit to McKinster, description of territory served was changed from that set forth in application at time of issuance of permit to describe the territory then served by the Small Brothers. In fact. said Decision No. 6888 erroneously read "three miles north," and, upon application of the parties, description was amended by Decision No. 6988 to read "eight miles north".

It would seem that if said Decision No. 6888 contained other errors, or any extension of authority beyond that granted by said "clarification decision" No. 6988, it should then have been called to the attention of the Commission.

On July 2, 1936, McKinster filed his application to extend the permit to include the transportation of farm produce, including milk, cream and livestock, between points within the area extending three miles east of Watkins along U. S. Highway No. 40; thence north twelve miles; thence west eight miles; thence south seventeen miles, via county roads, and via U. S. Highway No. 40 to Aurora and Denver, and from and to points in said area, to and from Denver and Watkins.

By Decision No. 8415, of date September 21, 1936; the extension was allowed for transportation of grain and livestock, only.

Thereafter, on May 22, 1937, Mr. Jones filed an application to enlarge the pickup area for transportation of milk and cream. Apparently said application was based on the theory that the Commission was in error in denying the application for extension in not allowing increased milk territory when extension for transportation of grain and livestock was granted.

On April 14, 1938, Mr. McKinster and Mr. Jones were furnished a transcript of the testimony of McKinster at the hearing on application covered by Decision No. 8415. It appeared that McKinster had been asked:

> Q. Then you do not care to enlarge the milk area.
> A. No, the milk area is satisfactory the way it is,

and,

Q. But you want to enlarge on all sides of the milk area?
A. For grain and livestock and farm produce, everything otherwise than milk and cream.

The application for extension, at the request of Mr. Jones, was dismissed on July 16, 1937, Decision No. 10337.

Upon the whole record, it does not appear that public convenience and necessity require the granting of the extended authority sought for movement of milk and cream. The customers in question can be adequately served by other authorized common carriers. The record does not justify a finding that extension should be allowed because a mistake was made in the description of the territory to be served under Permit No. A-36. To grant the application because applicant illegally, whether with or without knowledge that such operations were illegal, served the territory, would not be proper. This, as we stated in our Decision 21460, would be to put a premium upon such illegality.

Since no testimony was offered to show that public convenience and necessity required the issuance of a certificate for the transportation of grain and livestock between points within the area extending three miles east, twelve miles north, eight miles west, and five miles south of Watkins, and from and to points in said area, to and from Aurora and Denver, Colorado, we cannot grant a certificate for that service. Apparently, applicant thought that it would be desirable to change his private carrier authority under A-36 to that of a common carrier, but this alone is not sufficient. Moreover, applicant now is serving practically all the territory covered under his request for extension under that part of PUC 426 which he leases from Harry C. Flanders, and it does not seem proper to grant a certificate to him to serve the area covered by the lease upon the theory that his service as Lessee under the certificate is not adequate and could not be made adequate.

Therefore, after careful consideration of the record, the Commission is of the opinion, and finds, that the application should be denied.

O R D E R

IT IS ORDERED:

That the public convenience and necessity do not require the proposed extended operations of applicant, and that said application be, and the same hereby is, denied.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 20th day of March, 1944.

BH

Original

(Decision No. 22067)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

IN THE MATTER OF THE APPLICATION OF)
RAYMOND JACKSON AND FERN JACKSON,)
DOING BUSINESS AS "INTER-CITY TRUCK) APPLICATION NO. 1211-BB-AB
LINE," WINDSOR, COLORADO, FOR AN)
EXTENSION OF CERTIFICATE NO. 692 .)

March 20, 1944.

Appearances: Marion F. Jones, Esq., Denver, Colorado, for applicant;
A. J. Fregeau, Denver, Colorado, Weicker Transfer and Storage Company;
M. S. Weber, Greeley, Colorado, for Union Delivery Company;
William C. Rhodes, Esq., Greeley, Colorado, for Capron Truck Line.

S T A T E M E N T

By the Commission:

By Decision No. 5169, Elizabeth Morrison, doing business as "Inter-City Truck Line," was authorized to operate as a common carrier by motor vehicle for hire for the transportation of:

> freight between the City of Denver and the towns of Windsor and Severance, Colorado, but not to or from intermediate points.

By Decision No. 6542, on July 6, 1935, said authority was extended to include the transportation of:

> freight between Greeley, Bracewell, Farmers' Spur, Windsor, Johnstown, and Severance,

and on July 28, 1936, by Decision No. 8170, said authority was further extended to include the transportation of:

> all commodities (no express) from Denver to Timnath and Wellington, via Windsor (with no intermediate service between Denver and Greeley), only intermediate service between Windsor and Wellington; between Love-

land, Greeley, Windsor, Timnath and Wellington; from Wellington, Timnath and Windsor to Greeley, Fort Collins, Loveland and Denver, (no intermediate service between Denver and Greeley on U. S. Highway 85); and from Fort Collins to Windsor, Timnath, Wellington and Greeley, (without authority to transport freight from Fort Collins to Loveland or Denver or any intermediate points on U. S. Highway 285, and no authority to transport freight from Greeley to Denver).

By authority of the Commission (Decision No. 11135), said certificate was transferred to Raymond Jackson and Fern Jackson, of Windsor, Colorado, doing business as "Inter-City Truck Line."

They now seek a certificate of public convenience and necessity to extend their authority to include the right to transport freight to and from the United States Army Internment Camp, located on U. S. Highway No. 34, approximately eight miles west of Greeley, from and to points they are authorized to serve under their certificate.

At the hearing, Mr. Jackson stated that they have been transporting freight intrastate to the Internment Camp by having freight consigned to Bracewell and re-billed from Bracewell to the Camp, which is three miles from said point; that to date very little freight has been handled by applicants, but the Camp is practically completed and will hold about three thousand prisoners, in addition to the permanent personnel, and supplies will move from Denver and Greeley to the Camp in more or less regular shipments; that service on schedule by line haul motor vehicle common carriers will be needed; that in the past, most shipments have been handled to the Camp by private carriers and by call and demand common carriers, including Union Delivery and Weicker; that, in addition to large quantities of building materials handled by Weicker and Union Delivery, the Army, in Army trucks, has moved much freight to the Camp; that they furnished tri-weekly service from Denver; that service via Bracewell to the Camp requires a somewhat longer haul than would be required if they were allowed to stop at the Camp and make deliveries; that present service, Greeley to Johnstown and Windsor, is on call; that many weeks elapse between trips; that they propose to serve regularly from Denver and from

Greeley; that service of Union Delivery and Weicker on call and demand has been adequate to handle the type of commodities being shipped.

On cross-examination, he stated that he had handled only three shipments to the Camp of about 700 to 800 pounds each, one of those being in the latter part of October, and two in the fore part of November; that they will charge the prescribed rates via Milliken, and will use the routes presently operated by them.

A check of the records shows that routes, as recited in application made to the Interstate Commerce Commission for registration of their intrastate certificate are as follows:

"Between Denver and Wellington:
From Denver over U. S. Highway 85 to junction of Colorado Highway 60; thence over Colorado Highway 60 to junction of Colorado Highway unnumbered; thence over Colorado Highway unnumbered to junction of Colorado Highway 14, via Windsor and Timnath; thence over Colorado Highway 14 to Fort Collins; thence over U. S. Highway 87 to Wellington and return over these same routes to Denver.
Intermediate points: Windsor and Timnath.
Off-route point: Severance.
Exception: Transportation of express between Denver on the one hand and on the other, Wellington and Timnath, not authorized.

"Between Greeley and Wellington:
From Greeley over U. S. Highway 34 to junction Colorado Highway unnumbered; thence over Colorado Highway unnumbered to junction of Colorado Highway 60; thence over Colorado Highway 60 to junction U. S. Highway 87; thence over U. S. Highway 87 to Wellington and return over U. S. Highway 87 to Fort Collins; thence over Colorado Highway 14 to junction of Colorado Highway unnumbered; thence over Colorado Highway unnumbered, via Timnath and Windsor, to junction of U. S. Highway 34; thence over U. S. Highway 34 to Greeley.
Intermediate points: Johnstown, Loveland, Fort Collins, Timnath, and Windsor.
Service not authorized between Fort Collins and Loveland.
Off-route points: Farmers' Spur, Bracewell, and Severance.
Exceptions: The transportation of express not authorized except between Greeley and Bracewell, Farmers' Spur, Windsor, Johnstown, and Severance.

Service to Army Camp not mentioned. Apparently, it is a new service and is not included in applicant's authority.

C. H. Capron, of Capron Truck Company, testified in opposition.

He stated that his company, with headquarters in Denver, under its call and demand certificate, PUC No. 336, has authority:

> for the conduct of a transfer, moving and general cartage business in the City and County of Denver and in the Counties of Adams, Arapahoe and Jefferson, and for occasional service throughout the State and in each of the counties thereof, with the proviso that certificate holder should not operate on schedule between any points; should not establish a branch office or have an agent employed in any town or city other than Denver for the purpose of developing business, and for transportation of commodities other than household goods between points served singly or in combination by scheduled carriers, should charge rates as much as twenty per cent higher in all cases than those charged by scheduled carriers, the Commission retaining jurisdiction to enter further orders in the premises, should occasion require;

that under its private carrier operating rights (Permits Nos. A-454 and A -673), these authorities, of course, under the rules and regulations of the Commission, must be separately operated.

He stated that during the construction period, much desirable business in truckload lots was available out of Greeley to the Camp; that some general freight, including merchandise and food, moved out of Denver; that said company is not in a position to furnish service for movement of small shipments to the Camp; that, in his opinion, truckload shipments are being adequately handled by Weicker, Union Delivery, and Capron out of Greeley and Denver.

M. S. Weber, of Union Delivery Company, stated that his company has six trucks, and has furnished occasional service to the Camp from Greeley; that there has been no demand for daily service; that the Camp officers have not complained about service; that, on the contrary, some officers have stated to him that the service is satisfactory; that the volume of business to date does not justify installation of daily service; that his company cannot furnish service on schedule.

On inquiry, applicant stated that they had not contacted any Army officers at the Camp to determine whether service or carriers now serving the Camp is or is not satisfactory, or whether the Camp does or

does not desire daily service by applicants or other carriers.

Unquestionably, some freight can well move by line-haul service from Denver to the Camp. Applicants have the authority to move freight from Greeley and from Denver to points near the Camp. They operate more or less regularly on schedule. Service by protestants, Capron and Union Delivery, has been limited to truckload lots, not only on account of the movement of building materials in quantity, but due no doubt to ODT regulations and revenue factors.

In order to conserve equipment, it seems to be desirable that applicants should be granted the short extension they seek, because to some extent it will reduce their mileage and will afford a service for small shipments on their regular schedules, thus conserving manpower and equipment, and at the same time give the Camp better service. No doubt, l.t.l. traffic to and from the Camp will increase when prisoners are moved in.

Therefore, after careful consideration of the record, the Commission is of the opinion, and finds, that the extension sought should be granted, and that certificate of public convenience and necessity should issue therefor.

O R D E R

IT IS ORDERED:

That the public convenience and necessity require the proposed extended motor vehicle service of applicants for the transportation of freight, on schedule, to and from the U. S. Army Internment Camp, located on U. S. Highway No. 34, approximately eight miles west of Greeley, from and to points they are authorized to serve under their certificate, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

Applicants shall file tariffs of rates, rules and regulations and time and distance schedules as required by the rules and regulations of this Commission within twenty days from date.

Applicants shall operate their carrier system according to the schedule filed except when prevented by Act of God, the public enemy or extreme conditions.

This order is subject to compliance by applicants with all present and future laws and rules and regulations of the Commission.

The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

L D Thomas

Commissioners.

Dated at Denver, Colorado,
this 20th day of March, 1944.

BH

(Decision No. 22068)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF)
BENJAMIN BACA, ROUTE 1, BOX 13,)
TRINIDAD, COLORADO, FOR A CLASS "B") APPLICATION NO. 6580-PP
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

March 20, 1944.

Appearances: Benjamin Baca, Trinidad, Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines within a radius of ten miles of Trinidad, Colorado, and wood from sawmills in mountains west of Trinidad to points within a radius of ten miles of Trinidad.

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

At the hearing, in Trinidad, Colorado, on March 6, 1944, it appeared that applicant, pecuniarily and otherwise, is qualified to carry on the proposed operation. The matter was taken under advisement.

After careful consideration of the record, the Commission is of the opinion, and finds, that the application should be granted.

O R D E R

IT IS ORDERED:

That Benjamin Baca, Trinidad, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines within a radius of ten

miles of Trinidad, Colorado, and wood from sawmills in mountains west of Trinidad to points within a radius of ten miles of Trinidad, Colorado.

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

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

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

The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 20th day of March, 1944.

BH

(Decision No. 22069)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CLENTON LANDEN, SOUTH FORK, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE AS) APPLICATION NO. 6578-PP
A PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

March 20, 1944.

Appearances: Conour and Conour, Esqs., Del Norte, Colorado, for James E. Ashton, E. T. Walker, Creede Transportation Company, J. P. Wiederkehr & Son; T. A. White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing at Alamosa, Colorado, on March 8, 1944, at 10:30 o'clock A. M., due notice of the time and place of hearing being forwarded to parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing.

Thereupon, protestant, Rio Grande Motor Way, Inc., by its attorney, T. A. White, moved that said application be dismissed for lack of prosecution, in which motion all protestants joined.

The matter was taken under advisement.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be dismissed for lack of prosecution.

O R D E R

IT IS ORDERED:

That the above-styled application be, and the same hereby is, dismissed for lack of prosecution.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

L D Thomas

Walter Quinn

Commissioners.

Dated at Denver, Colorado,
this 20th day of March, 1944.

(Decision No. 22070)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

RE MOTOR VEHICLE OPERATIONS OF JOHN BURBANK, BOX 599, WHEATRIDGE, COLORADO.) PERMIT NO. B-2648

March 20, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from John Burbank, requesting that Permit No. B-2648 be suspended for a period of six months from February 29, 1944.

The records and files of the Commission fail to disclose any reason why said request should not be granted.

After careful consideration of the record, the Commission is of the opinion, and finds, that said request should be granted, and that cash deposit now on file with the Commission should be refunded to permittee.

O R D E R

IT IS ORDERED:

That John Burbank, Wheatridge, Colorado, should be, and he hereby is, allowed to suspend his operations under Permit No. B-2648 for a period of six months from February 29, 1944.

That unless said John Burbank shall, prior to expiration of said suspension period, reinstate said permit by filing insurance and otherwise complying with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action on the part of the Commission, shall stand revoked, without right to reinstate.

That ton-mile cash deposit now on file with the Commission should be refunded to permittee.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 20th day of March, 1944.
BH

(Decision No. 22071)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RALPH FLESCH, WALDEN, COLORADO, FOR A) APPLICATION NO. 6598-PP
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

March 20, 1944

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 timber from forests, timber camps, and mills within a radius of thirty miles of Walden, Colorado, to Walden and mills in said area.

From the application, it appears that applicant proposes to haul timbers to mills to be processed into railroad ties and lumber.

Inasmuch as the motor carrier associations heretofore have indicated they have no objection to the granting of permits limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That Ralph Flesch, Walden, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of timber from forests, timber caps, and mills within a radius of thirty miles of Walden, Colorado, to Walden and mills in said area.

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

This order is the permit provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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.

The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colrado,
this 20th day of March, 1944

JH

(Decision No. 22072)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF PAUL E. BALDWIN, 7625 WEST NINTH AVENUE, LAKEWOOD, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	)	APPLICATION NO. 6579-PP

March 20, 1944

Appearances: T. A. Stockton, Jr., Esq.,
Denver, Colorado, for Partridge Transfer,
Roy Kohl, Grand County Transportation Co.

S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing at Denver, Colorado, on March 2, 1944, at 10:00 o'clock A.M., due notice of the time and place of hearing being forwarded to parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing.

Thereupon, protestants, by their attorney, moved that said application be dismissed for lack of prosecution.

The matter was taken under advisement.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be dismissed for lack of prosecution.

O R D E R

IT IS ORDERED:

That the above-styled matter should be, and the same hereby is, dismissed for lack of prosecution.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 20th day of March, 1944
JH

Commissioners.

(Decision No. 22073)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF) PERMIT NO. B-1097
BERTIE TOWERS, BURLINGTON, COLO.)

March 20, 1944

S T A T E M E N T

By the Commission:

Bertie Towers, Burlington, Colorado, has requested the Commission to permit him to suspend operations under his Permit No. B-1097 for a period of six months from March 1, 1944, on account of ill health.

It appears that, on account of a heart ailment, Mr. Towers' physician has prescribed six months' rest for him.

After careful consideration of the record, the Commission is of the opinion, and finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That Bertie Towers, Burlington, Colorado, should be, and he hereby is, allowed to suspend his operations under Permit No. B-1097 for a period of not to exceed six months from March 1, 1944.

That unless said Bertie Towers shall, prior to expiration of said suspension period, reinstate said permit by filing insurance and otherwise complying with all rules and regulations of the Commission applicable to private carrier authorities, said authority, without further action by the Commission, shall stand revoked, without right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 20th day of March, 1944

JH

(Decision No. 22074)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
BIGLER OIL COMPANY, CORTEZ,) PERMIT NO. C 14028
COLORADO)
)
)

March 27, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the Bigler Oil Company of Cortez, Colo., requesting that his Permit No. C 14028 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C 14028, heretofore issued to Bigler Oil Company, Cortez, Colorado be, and the same is hereby, declared cancelled effective February 28, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/ Henry O Thorman

Edward D Carroll

Malcom Ericksen

Commissioners.

Dated at Denver, Colorado,
this 27th day of March, 19 44

(Decision No. 22075)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JOSEPHINE MAXWELL, SAN LUIS, COLORADO, FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 6576

March 20, 1944

Appearances: T. A. White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Co.;
T. A. Stockton, Jr., Esq., Denver, Colorado, for J. F. Gallegos;
Marion F. Jones, Esq., Denver, Colorado, for E. T. Walker.

STATEMENT

By the Commission:

The above-styled matter was regularly set for hearing at Alamosa, Colorado, on March 7, 1944, due notice of the time and place of hearing being forwarded to parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing.

T. A. White, Esq., appearing for Rio Grande Motor Way, Inc., stated that he had two witnesses present to testify in opposition to the granting of the authority sought, and moved that said application be dismissed for lack of prosecution, in which motion all other protestants joined.

The matter was taken under advisement.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be dismissed for lack of prosecution.

O R D E R

IT IS ORDERED:

That the above-styled matter should be, and the same hereby is, dismissed for lack of prosecution.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

L D Thomas

Commissioners

Dated at Denver, Colorado,
this 20th day of March, 1944.

JH

(Decision No. 22076)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EARL WILLIAMS, RAGO, COLORADO, FOR)
AUTHORITY TO TRANSFER PUC NO. 1422) APPLICATION NO. 5616-AAA
TO PERCY CROSBY, RAGO, COLORADO.)

March 20, 1944

Appearances: Marion F. Jones, Esq., Denver, Colorado, for applicants;
T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association.

S T A T E M E N T

By the Commission:

On September 4, 1941, by Decision No. 17408, F. C. and C. E. Williams, doing business as "Williams Truck," Rago, Colorado, were authorized to operate as common carriers by motor vehicle for hire, on call and demand, for the transportation of:

> farm products, including livestock, and farm supplies and equipment, including used household furniture when all the effects of a farmer are moved, between points within an area of Rago as follows: 8 miles north, 10 miles south, 15 miles west and east to Colorado Highway No. 63, and between points in said area and points in the State of Colorado, save and except that no farm machinery shall be transported from or to points on U. S. Highway No. 85, to or from points in said area.

Thereafter, by Decision No. 18660, of date April 17, 1942, they were authorized to, and did, transfer said certificate to Jim McMillion, Rago, Colorado, who, in turn, by authority of the Commission (Decision No. 19980), transferred to Earl Williams, of Rago, Colorado.

Said Earl Williams now seeks authority to transfer the certificate to Percy Crosby, Rago, Colorado.

At the hearing, in Denver, Colorado, on March 14, 1944, it appeared that the transferor, Earl Williams, is in the Army; that he is unable to continue operations under the certificate; that he has contracted to sell one truck and the certificate to Percy Crosby for the sum of One Thousand Fifty Dollars ($1,050.00): that transferee's net worth is approximately Two Thousand Dollars ($2,000.00); that he has had considerable experience in trucking, not only in the States of Colorado and Arkansas, but elsewhere, and pecuniarily and otherwise is capable of carrying on the operation; that all bills against the business have been satisfied by transferee; that Williams' road tax deposit is to be transferred to the credit of Crosby.

After careful consideration of the record, the Commission is of the opinion, and finds, that said transfer should be authorized.

O R D E R

IT IS ORDERED:

That Earl Williams, Rago, Colorado, should be, and he hereby is, authorized to transfer all his right, title and interest in and to PUC No. 1422 to Percy Crosby, Rago, Colorado.

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

That ton-mile tax deposit of Earl Williams now on file with the Commission should be transferred to the credit of transferee.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 20th day of March, 1944

JH

Commissioners

(Decision No. 22077)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF DENNIS A. BURROUGHS, DOING BUSINESS AS "PEYTON TRUCK LINE," PEYTON, COLORADO, FOR AUTHORITY TO TRANSFER A PORTION OF P.U.C. NO. 667 TO FRANK LAMB, DOING BUSINESS AS "LAMB MILK LINES," PEYTON, COLORADO.

APPLICATION NO. 2052-B-A

March 20, 1944

Appearances: Marion F. Jones, Esq., Denver, Colorado, for applicants;
T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association.

S T A T E M E N T

By the Commission:

By Decision No. 4713, Dennis A. Burroughs, doing business as "Peyton Truck Line," Peyton, Colorado, was authorized to operate as a common carrier by motor vehicle for hire for the transportation of:

> livestock and farm products, only, between Peyton, Colorado and points in the territory within a radius of ten miles thereof on the one hand, and, on the other, Colorado Springs.

Subsequently, by Decision No. 7625, he was authorized to extend and enlarge his operations:

> "to include the right to serve the following-described area: 'Beginning at a point 10 miles west of Peyton, Colorado; thence north along the center of Range No. 65 a distance of 18 miles; thence east a distance of 30 miles; thence south along the center line of Range No. 60 to State Highway No. 94; thence west along Highway No. 94 to the center of Range No. 65; thence north to the point of beginning,' and to include, in addition to the authority heretofore granted, the right to transport farm products (including livestock) and farm supplies from point to point within said area and between points in said area and points outside thereof, except the applicant shall not transport freight into Ramah, Elbert, Calhan and Peyton,"

with the proviso that he should not haul general freight in line haul service under said extension, said Decision No. 4713 also having contained the requirement that:

"applicant's operations shall not be conducted upon a regular schedule."

He now seeks authority to transfer the right to transport milk and cream, with back-haul of empty cans, within the limits of the authority granted by said orders, to Frank Lamb, doing business as "Lamb Milk Lines," Peyton, Colorado.

The matter was heard at Denver, Colorado, on March 14, 1944.

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

It appeared that the consideration for the transfer of said permit is the sum of One Thousand Dollars ($1,000.00); that transferor Burroughs is unable, on account of scarcity of labor, to satisfactorily conduct milk hauling operations under the certificate. The nature and extent of the milk hauling operations of transferor under said certificate did not appear from the testimony.

After careful consideration of the record, the Commission is of the opinion, and finds, that the authority sought should be granted, and that upon consummation of transfer aforesaid, transferor shall desist from hauling milk and cream under his authority, PUC No. 667; that the number, "PUC No. 667", shall be retained by transferor, and transferee shall be assigned a new number for his operations upon payment of ton-mile tax deposit and otherwise complying with the rules and regulations of this Commission.

O R D E R

IT IS ORDERED:

That Dennis A. Burroughs, doing business as "Peyton Truck Line," Peyton, Colorado, should be, and he hereby is, authorized to transfer all his right, title and interest in and to that portion of PUC No. 667 authorizing the transportation of milk and cream, with back-haul of empty cans, within the limits of the authority granted by Decisions Nos. 4713 and 7625, to Frank Lamb, doing business as "Lamb Milk Lines," Peyton, Colorado.

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

That upon consummation of transfer, transferor shall desist from hauling milk and cream under his authority, PUC No. 667.

That the number "667" shall be retained by transferor, and transferee shall be assigned a new number for his operations upon payment of ton-mile tax deposit and otherwise complying with the rules and regulations of this Commission governing Common Carriers.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 20th day of March, 1944

JH

(Decision No. 22078)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF C. W. GIBSON, PAGOSA SPRINGS, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 889 TO MYRON M. CATCHPOLE, PAGOSA SPRINGS, COLORADO.	APPLICATION NO. 2905-AA

March 20, 1944

Appearances: Myron M. Catchpole, Pagosa Springs, Colorado, for applicants;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Co.;
T. A. White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc., The Denver and Rio Grande Western Railroad Company.

S T A T E M E N T

By the Commission:

Pursuant to authority contained in Decision No. 10831, C. W. Gibson acquired P.U.C. No. 889 from Frank Jones, with authority to transport:

> (a) livestock, road construction materials, contractors' supplies and equipment from point to point within a radius of 35 miles of Pagosa Springs and from and to points within the state; (b) farm products and farm supplies, including coal, used furniture, household goods, and farm machinery, and building supplies (specifically excluding merchandise) from point to point in the territory within a radius of 35 miles of Pagosa Springs; (c) farm products and farm supplies, including coal, used furniture, household goods and farm machinery and building supplies from and to ranches in the area described in (b) to and from Pagosa Springs and points in Colorado lying east of, but not within 20 miles of Pagosa Springs; (d) oil from Denver to points within a radius of 35 miles of Pagosa Springs;

He now seeks authority to transfer said operating right to Myron M. Catchpole, Pagosa Springs, Colorado.

The matter was set for hearing, and heard, at Alamosa, Colorado, on March 8, 1944.

It there appeared that the consideration for the transfer of said certificate is the sum of One Thousand Dollars ($1,000.00), transferee also purchasing some equipment from transferor for Two Thousand Dollars ($2,000.00).

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

It appeared that all operating obligations of transferor have been paid.

The matter was taken under advisement.

After careful consideration of the record, the Commission is of the opinion, and finds, that the authority sought should be granted.

ORDER

IT IS ORDERED:

That C. W. Gibson, Pagosa Springs, Colorado, should be, and he hereby is, authorized to transfer all his right, title and interest in and to PUC No. 889 to Myron M. Catchpole, Pagosa Springs, Colorado, with authority as set forth in Decision No. 7362, as amended by Decision No. 10500.

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

Ton-mile tax deposit of transferor shall be transferred to the credit of transferee.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 20th day of March, 1944

JH

(Decision No. 22079)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF)
C. A. FOSTER, 902 FIFTH STREET,)
GREELEY, COLORADO, FOR AUTHORITY TO) APPLICATION NO. 4573-PP-A
TRANSFER PERMIT NO. B-2353 TO G. R. FRY,)
1621 NINTH STREET, GREELEY, COLORADO.)

March 22, 1944.

Appearances: C. A. Foster, Greeley, Colorado, pro se;
G. R. Fry, Greeley, Colorado, pro se;
T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company.

S T A T E M E N T

By the Commission:

By Decision No. 13461, on May 8, 1939, C. A. Foster, doing business as "Foster Transfer," Greeley, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

> "l.c.l. freight from and to the depots of The Colorado and Southern Railway Company and Union Pacific Railroad Company in Greeley, to and from all points within Greeley and a radius of two miles thereof, and the transportation of groceries from retail stores of Safeway Stores, Inc., in Greeley to points within Greeley and said radius of two miles for said stores to their retail customers."

He now seeks authority to transfer said permit to G. R. Fry, of Greeley, Colorado.

At the hearing in Denver, Colorado, on March 14, 1944, it appeared that all outstanding accounts against said operation have been satisfied; that transferee is an experienced operator of motor vehicles, and in the

past has been employed by Foster; that the consideration for the transfer of one truck, the permit, and good will of the operation is the sum of One Thousand Dollars ($1,000.00); that the ton-mile deposit heretofore paid by Foster be returned to him, and Mr. Fry is to pay deposit to cover his operations under the permit.

After careful consideration of the record, the Commission is of the opinion, and finds, that said transfer should be authorized.

O R D E R

IT IS ORDERED:

That C. A. Foster, doing business as "Foster Transfer," Greeley, Colorado, should be, and he hereby is, authorized to transfer all his right, title and interest in and to Permit No. B-2353 to G. R. Fry, of Greeley, Colorado.

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.

This order is made a part of the permit authorized to be transferred, and shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 22nd day of March, 1944.

(Decision No. 22080)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF)
ARTHUR MONTOYA, HOEHNE, COLORADO,) APPLICATION NO. 5533-PP-B
FOR AUTHORITY TO EXTEND HIS OPERA-)
TIONS UNDER PERMIT NO. B-2615.)

March 22, 1944

Appearances: Arthur Montoya, Hoehne, Colorado, pro se.

S T A T E M E N T

By the Commission:

On February 8, 1941, applicant was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

> farm products, including livestock, between points within the area extending from Hoehne, Colorado, south five miles, north ten miles, east fifteen miles, and west five miles, and from points in said area to markets within a radius of fifty miles of Hoehne; coal from Las Animas County coal mines, and lumber from timber camps in the mountains west of Trinidad to points in said area.

He filed two applications for extension - one on February 14, 1944, the other on February 16, 1944.

As limited by the testimony offered at the hearing, in Trinidad, Colorado, on March 6, 1944, it appeared that applicant desires to extend his authority to include the transportation of grain, seed, and beans, between mills and elevators of Ady & Milburn, Inc., in the State of Colorado for said company, only, and grain, beans, and seed from Hoehne, Colorado, to points in the San Luis Valley, with back-haul of grain from farms in said San Luis Valley to Hoehne, Colorado, for said Ady & Milburn, Inc., only, and the distribution of seed cake and other feeds from railheads within a radius of fifty miles of Hoehne or from mills of said Ady & Milburn, Inc., at Springfield,

Pritchett, Lamar, La Junta, Swink, Rocky Ford, and, Hoehne, to farms within a radius of one hundred miles of Hoehne.

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

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

The matter was taken under advisement.

After careful consideration of the record, the Commission is of the opinion, and finds, that the extension should be granted.

O R D E R

IT IS ORDERED:

That Arthur Montoya, Hoehne, Colorado, should be, and he hereby is, authorized to extend his operations under Permit No. B-2615 to include the right to transport grain, seed, and beans, between mills and elevators of Ady & Milburn, Inc., in the State of Colorado, for said company, only, and grain, beans, and seed from Hoehne, Colorado, to points in the San Luis Valley, with back-haul of grain from farms in said San Luis Valley to Hoehne, Colorado, for said Ady & Milburn, Inc., only, and the distribution of seed cake and other feeds from railheads within a radius of 50 miles of Hoehne or from mills of said Ady & Milburn, Inc., at Springfield, Pritchett, Lamar, La Junta, Swink, Rocky Ford, and Hoehne, to farms within a radius of one hundred miles of Hoehne.

This order is made part of the permit granted to applicant, and shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 22nd day of March, 1944.

(Decision No. 22081)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

*****

IN THE MATTER OF THE APPLICATION OF)
H. J. UHL, ROUTE 2, WICHITA, KANSAS,)
FOR AUTHORITY TO TRANSFER PUC NO.) P.U.C. NO. 1545-I
1545-I TO H. J. UHL AND GRACE L.)
UHL, DOING BUSINESS AS "H. J. UHL,")
ROUTE 2, WICHITA, KANSAS.)

March 22, 1944.

Appearances: F. W. Prosser, Esq., Bitting,Bldg., Wichita, Kansas, for applicants.

S T A T E M E N T

By the Commission:

Heretofore H. J. Uhl, Wichita, Kansas, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle for hire in interstate commerce, and P.U.C. No. 1545-I issued to him.

Said certificate-holder now seeks authority to transfer said certificate to H. J. Uhl and Grace L. Uhl, doing business as "H. J. Uhl," Wichita, Kansas.

The records and files of the Commission fail to disclose any reason why said request should not be granted.

After careful consideration of the record, the Commission is of the opinion, and finds, that said transfer should be authorized.

O R D E R

IT IS ORDERED:

That H. J. Uhl, Wichita, Kansas, should be, and he hereby is, authorized to transfer all his right, title and interest in and to P.U.C. No. 1545-I to H. J. Uhl and Grace L. Uhl, doing business as "H. J. Uhl," Wichita, Kansas, said transfer to be subject to the provisions of the Federal Motor Carrier Act of 1935.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

L D Thomas

Commissioners.

Dated at Denver, Colorado,
this 22nd day of March, 1944.

BH

(Decision No. 22082)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

IN THE MATTER OF THE APPLICATION OF MARSHALL FREIGHT LINES, INC., 2311 SOUTH WALKER, OKLAHOMA CITY, OKLAHOMA, TO TRANSFER INTERSTATE AUTHORITY TO W. A. LOVING AND CARROL LOVING, doing business as "LOVING AND LOVING," 215 WEST CHOCTAW, OKLAHOMA CITY, OKLAHOMA.

P.U.C. NO. 1436-I

March 22, 1944.

S T A T E M E N T .

By the Commission:

Heretofore, Marshall Freight Lines, Inc., Oklahoma City, Oklahoma, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle for hire, in interstate commerce, and Certificate No. 1436-I issued to it.

Said certificate-holder now seeks authority to transfer said operating rights to W. A. Loving and Carrol Loving, doing business as "Loving & Loving," Oklahoma City, Oklahoma.

The records and files of the Commission fail to disclose any reason why said request should not be granted.

After careful consideration of the record, the Commission is of the opinion, and finds, that said transfer should be authorized.

O R D E R

IT IS ORDERED:

That Marshall Freight Lines, Inc., Oklahoma City, Oklahoma, should be, and it hereby is, authorized to transfer all right, title and interest in and to PUC No. 1436-I to W. A. Loving and Carrol Loving, doing business as "Loving & Loving," Oklahoma City, Colorado, said transfer to be subject to the provisions of the Federal Motor Carrier Act of 1935.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 22nd day of March, 1944.

BH

(Decision No. 22083)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

*****

IN THE MATTER OF THE APPLICATION OF)
GEORGE K. WEBER, 503 WINDEMERE) APPLICATION NO. 6391-PP-BB
AVENUE, LITTLETON, COLORADO, FOR AN)
EXTENSION OF APPLICATION NO. 6391-PP)

March 22, 1944.

Appearances: George K. Weber, Littleton, Colorado, pro se;
T. A. Stockton, Jr., Esq., Denver, Colorado, for Grand County Transportation Company;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to extend service under his Class "B" permit to include the right to transport hay from points within a radius of fifteen miles of Hot Sulphur Springs and points within a radius of fifteen miles of Greeley, to Littleton, and livestock from points within a radius of twenty-five miles of Bailey and points within a radius of ten miles of Ault, to Denver, Colorado.

The matter was set for hearing, and heard, at Denver, Colorado, on March 14, 1944.

No one appeared in opposition to the granting of the authority sought except the transportation of hay from points within a radius of fifteen miles of Hot Sulphur Springs to Littleton. For applicant, it appeared that a customer near Littleton wants hay hauled to Littleton from customer's brother's ranch near Hot Sulphur Springs; that no effort has been made to procure service from now authorized carriers.

In behalf of Grand County Transportation Company, it appeared that said company operates a line-haul motor vehicle common carrier service daily, except Sunday, between Denver and Kremmling, and intermediate points,

including Hot Sulphur Springs; that it also is authorized to operate a call and demand service for the transportation of most commodities between points in the State of Colorado and practically all points in Grand County, including points within a radius of fifteen miles of Hot Sulphur Springs; that the bulk of freight handled by the line haul service moves from Denver to points in Grand County; that in order to comply with ODT regulations, and in order to cut expenses of its line haul operations and permit it to continue the service, it is necessary that it enjoy all the back-haul movement of freight that is available from the territory; that it will handle hay, in bulk or baled; that the granting of the authority sought will tend to impair the efficiency of its line haul and call and demand service.

After careful consideration of the record, the Commission is of the opinion, and finds, that the authority sought, except for the movement of hay from points within a radius of fifteen miles of Hot Sulphur Springs to Littleton, should be granted.

ORDER

IT IS ORDERED:

That George K. Weber, Littleton, Colorado, should be, and he hereby is, authorized to extend his operations under his Class "B" permit to include the right to transport hay from points within a radius of fifteen miles of Greeley, to Littleton, Colorado, and livestock from points within a radius of twenty-five miles of Bailey and points within a radius of ten miles of Ault, to Denver, Colorado.

That in all other respects, said application should be, and it hereby is, denied.

This order is made part of the permit granted to applicant, and shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 22nd day of March, 1944.

BH

Original

(Decision No. 22084)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF LESLIE GILDER, CENTER, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT NO. B-963 TO BRUCE GARDNER, CENTER, COLORADO.

APPLICATION NO. 2362-PP-BA

March 23, 1944

Appearances: Leslie Gilder, Center, Colorado, pro se;
Bruce Gardner, Center, Colorado, pro se;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company;
T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association;
T. A. White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.;
Conour and Conour, Esqs., Del Norte, Colorado, for James E. Ashton, E. T. Walker.

STATEMENT

By the Commission:

By Decision No. 6556, Leslie Gilder was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

> livestock, potatoes, and coal from point to point within a radius of twenty-five miles of Center, Colorado, and from and to said points, to and from Walsenburg, Pueblo, and Denver, without the right to render point to point service between Walsenburg and Denver and intermediate points.

He now seeks authority to transfer said permit to Bruce Gardner, Center, Colorado.

The matter was set for hearing, and heard, at Alamosa, Colorado, on March 8, 1944.

It there appeared that the consideration for the transfer of said permit is the sum of One Hundred Fifty Dollars ($150.00); that all outstanding accounts of transferor have been satisfied, and transferee, pecuniarily and otherwise, is capable of carrying on the operation; that he has a one and one-half-ton Chevrolet Truck, a Commercial Carrier Permit, and the necessary Certificate of War Necessity from The Office of Defense Transportation.

The matter was taken under advisement.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That Leslie Gilder, Center, Colorado, should be, and he hereby is, authorized to transfer all his right, title and interest in and to Permit No. B-963 to Bruce Gardner, Center, Colorado.

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.

This order is made a part of the permit authorized to be transferred, and shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 23rd day of March, 1944.

mw

Original

(Decision No. 22085)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BERT BROM, DOING BUSINESS AS "BROM)
TRANSFER AND STORAGE," MONTE VISTA,) APPLICATION NO. 4318-B
COLORADO, FOR AN EXTENSION AND)
AMENDMENT OF PUC NO. 1192.)

March 23, 1944

Appearances: Conour and Conour, Esqs., Del Norte, Colorado, for applicants;
T. A. White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.; The Denver and Rio Grande Western Railroad Company;
T. A. Stockton, Jr., Esq., Denver, Colorado, for The Colorado Transfer and Warehousemen's Association;
Arthur Brooks, Esq., Denver, Colorado, for The Colorado Transfer and Warehousemen's Association;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company.

S T A T E M E N T

By the Commission:

On February 2, 1938, by Decision No. 11322, Bert Brom, doing business as "Brom Transfer and Storage," Monte Vista, Colorado, was authorized to operate as a common carrier, by motor vehicle for hire, with the proviso that "this authority shall not be transferable."

Subsequently, he filed application for extension of his authority, and asked that his certificate be amended by striking therefrom the foregoing proviso, "this authority shall not be transferable."

The matter was set for hearing, and heard, at Alamosa, Colorado, on March 9, 1944.

At the time and place appointed for hearing, said Brom withdrew

his application for extension, and thereupon all protestants consented to the amendment of said certificate and Order, as requested, and the matter was taken under advisement.

After careful consideration of the record, the Commission is of the opinion, and finds, that said certificate should be amended, as requested.

O R D E R

IT IS ORDERED:

That public convenience and necessity require the amendment of said certificate of public convenience and necessity in the manner requested by applicant, and that said Order contained in Decision No. 11322 be, and the same hereby is, amended by striking from the first paragraph thereof the words at the end of the first paragraph, "provided that this authority shall not be transferable."

That said order and decision, No. 11322, in all other respects, shall remain in full force and effect.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

I T O Thorman

Walter Brown

Commissioners

Dated at Denver, Colorado,
this 23rd day of March, 1944.

mw

Original

(Decision No. 22086)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF PETE WESTENBURG, ROUTE 2, ALAMOSA, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 6571-PP
IN THE MATTER OF THE APPLICATION OF B. J. SCHOOLLAND, ROUTE 2, ALAMOSA, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 6572-PP
IN THE MATTER OF THE APPLICATION OF JOHN TOLSMA, ROUTE 2, ALAMOSA, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 6574-PP

March 23, 1944

Appearances: Pete Westenburg, Alamosa, Colorado, pro se;
B. J. Schoolland, Alamosa, Colorado, pro se;
John Tolsma, Alamosa, Colorado, pro se;
T. A. White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.;
T. A. Stockton, Jr., Esq., Denver, Colorado, for J. F. Gallegos.

S T A T E M E N T

By the Commission:

Applicant Pete Westenburg herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of ground hay, only, from farms within a radius of twenty-five miles of Alamosa to railroad loading docks in said area.

Applicant B. J. Schoolland herein seeks the same authority, and Applicant John Tolsma herein seeks to operate as a Class "B" private carrier

by motor vehicle for hire for the transportation of ground hay, only, from farms within a radius of twenty-five miles of La Jara to railroad loading points in said area.

Said matters were set for hearing at Alamosa, Colorado, on March 7, 1944, and after being consolidated for hearing, were heard at said time.

It appeared that applications were filed early in the Fall of 1943, and that a number of hay grinders operated in the Valley during the fall, grinding hay at farms which was loaded in sacks and hauled to the nearest railhead and loaded in cars for shipment to points without the State, chiefly Kansas City; that as many as eight or ten trucks, at times, are required to serve one grinder; that common carriers were unable to furnish the service, although it appeared that Joseph F. Gallegos, with use of two trucks belonging to him -- the one being out of service -- and the leased truck of his brother, J. G. Gallegos, had not been contacted to make or assist in the haul. Apparently all hay that is to be ground and moved out of the Valley during the current season has been moved, and there will be no more hay to be moved until next Fall.

At the hearing, it was suggested that perhaps decision on said applications might be held in abeyance until next Fall to determine whether service of applicants at that time will or will not be needed. However, after consideration of the matters, it would seem that Mr. Gallegos will not be in a position to handle the hay haul alone, if it is offered, and if it is not offered, applicants, obviously, will not qualify by complying with the requirements contained in the Order following.

After careful consideration of the record, the Commission is of the opinion, and finds, that the common carrier motor vehicle service for the movement of ground hay in the territory sought to be served by applicants is not adequate; that the authority sought should be granted.

O R D E R

IT IS ORDERED:

That Pete Westenburg should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for

the transportation of ground hay, only, from farms within a radius of twenty-five miles of Alamosa to railroad loading docks in said area.

That B. J. Schoolland should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of ground hay, only, from farms within a radius of twenty-five miles of Alamosa to railroad loading docks in said area.

That John Tolsma should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of ground hay, only, from farms within a radius of twenty-five miles of La Jara to railroad loading points in said area.

That said applicants, and each of them, may have time, and until November 1, 1944, to comply with the requirements of this Order, and in the event they shall fail to so do, said applications, without further order on the part of this Commission, shall be dismissed.

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to these permits deemdd advisable.

This order is the permits herein provided for, but it shall not become effective until applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and have secured identification cards.

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

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

I D Thomson

Walter Wilson

Commissioners

Dated at Denver, Colorado,
this 23rd day of March, 1944.
mw

Dec. 2 2087

Original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
J. D. HAYNIE, MANASSA, COLORADO,) APPLICATION NO. 6575
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY.)

RE MOTOR VEHICLE OPERATIONS OF) PERMIT NO. B-2025
J. D. HAYNIE, MANASSA, COLORADO.)

March 23, 1944

Appearances: Worth Allen, Esq., Denver, Colorado, for applicant;
Conour and Conour, Esqs., Del Norte, Colorado, for James E. Ashton, E. T. Walker;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company;
T. A. Stockton, Jr., Esq., Denver, Colorado, for J. F. Gallegos;
T. A. White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.;
Marion F. Jones, Esq., Denver, Colorado, for Fred T. Gibson.

S T A T E M E N T

By the Commission:

As amended by stipulation at the hearing, in Alamosa, Colorado, on March 7, 1944, applicant herein seeks authority to operate as a common carrier by motor vehicle for hire for the transportation of: (1) livestock from point to point in an area within a radius of twenty miles of the Town of Manassa, Colorado (excepting therefrom all that part of said area which lies in Costilla County), and between points in said area, and other points in said State; (2) farm produce from point to point in said area (Costilla County excluded), and between points therein and other points in said State, all of which service is to be limited to shipments originating on farms;

(3) farm machinery, equipment, and supplies, except groceries and articles of wearing apparel, from point to point in said area (Costilla County excluded), and to farms in said area from the Cities of Denver and Pueblo.

At the hearing, it appeared that applicant, for a number of years, has operated under a Class "B" permit, No. B-2025, his authority thereunder being limited to the transportation of;

> (1) farm products, only, including livestock, from point to point within Conejos County, and from and to points in said county, to and from Pueblo and Denver; (2) building material and machinery for the Haynie Hardware Company, of Manassa, from Portland, Denver and Pueblo, to said Company at Manassa; (3) livestock for Haynie and Sowards from point to point in Alamosa and Costilla Counties, and from points in said counties to Denver and Pueblo, without the right to add to the number of customers for livestock service in Alamosa and Costilla Counties, except upon special permission from the Commission.

Applicant stated that authority under his permit, except as to that part not included in the authority granted, if any, under this application for a certificate, may be cancelled.

Applicant further testified that under the authority granted by his Private Carrier Permit, he had been unable to satisfy the requirements of people residing in the territory he is authorized to serve; that demands for truck transportation have increased greatly in recent months, not only on account of increased production of all farm products in the area, but on account of farmers lacking equipment and shortage of help to operate such equipment as they may have available; that farmers frequently have been compelled to wait several weeks for transportation of livestock; that his principal reason for extending his territory north beyond the limits of Conejos County is his desire to get into Alamosa and the area immediately adjoining the town where sales barns are located, and also to serve one of his principal customers who has large stock interests east of Alamosa, as well as in Conejos County; that grain chiefly moves from farms to railheads or elevators; that hay ordinarily is marketed in the Valley from farms, but occasionally it is necessary to haul truckloads to mines, farms, or dairies in the neighborhood of Walsenburg; that some demand has arisen for movement of lettuce and peas in truckload lots to Pueblo in the past; that farm supplies, generally, including machinery and equipment, move from point to point

in the area; that he desires, however, to be able to haul farm supplies, such as cake, seed, feed, mowers, ditchers, and other farm machinery, as a back-haul from Denver or Pueblo to points in said area; that farmers and ranchers need and require said service, especially considering the transportation situation as it now exists. On cross-examination by Mr. White, he stated that most of said movements would be in truckload lots, although he wanted to be in a position to haul a piece of machinery, such as a mower, as a back-haul directly to a farm if the farmer who needed it desired such service. He added that he would be willing to file joint rates with Rio Grande Motor Way to cover movement of l.c.l. freight from points served by Motor Way directly to farms in his territory, via Manassa, the shipment to be delivered to him at Manassa by Motor Way, he to handle it to the farm.

All protestants withdrew objections to the issuance of authority, as limited.

Thereupon, it was stipulated that witnesses present to testify for applicant -- Fred Eckles, Fred Chapman, Vern Haynie, Lester Bagwell, A. D. Mortensen, Dale Sowards, and Sheldon Sowards, of Manassa, and Wilford Christensen, farmers, ranchers and livestock dealers, if called as witnesses, would testify substantially the same as witness, J. D. Haynie, on the issue of public convenience and necessity.

Thereupon, protestants offering no testimony, the matter was taken under advisement.

After careful consideration of the record, the Commission is of the opinion, and finds, that public convenience and necessity require the proposed motor vehicle common carrier service of applicant, and that certificate of public convenience and necessity should issue therefor; that all authority of said J. D. Haynie under Private Carrier Permit No. B-2025, which duplicates the authority herein granted should be cancelled.

O R D E R

IT IS ORDERED:

That public convenience and necessity require the motor vehicle common carrier service of applicant, on call and demand, for the transpor-

tation of: (1) livestock from point to point in an area within a radius of twenty miles of the Town of Manassa, Colorado (excepting therefrom all that part of said area which lies in Costilla County), and between points in said area, and other points in said State; (2) farm produce from point to point in said area (Costilla County excluded), and between points therein and other points in said State, all of which service is to be limited to shipments originating on farms; (3) farm machinery, equipment, and supplies, except groceries and articles of wearing apparel, from point to point in said area (Costilla County excluded), and to farms in said area from the Cities of Denver and Pueblo, Colorado.

That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty (20) days from date.

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.

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

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

That all authority of said J. D. Haynie under Permit No. B-2025, which duplicates the authority herein granted should be, and the same hereby is, cancelled.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 23rd day of March, 1944.

Commissioners

mw

Original

(Decision No. 22088)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

IN THE MATTER OF THE APPLICATION OF THOMAS HAUGEN, STRASBURG, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 273 TO HUBERT A. HAUGEN, STRASBURG, COLORADO.	APPLICATIONS NOS. 1007-AA 1284-AA-BA

March 23, 1944.

Appearances: Marion F. Jones, Esq., Denver, Colorado, for applicants;
T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association.

S T A T E M E N T

By the Commission:

Applicant, Thomas Haugen, is engaged in operating as a common carrier by motor vehicle for hire for the transportation of freight, with authority as follows:

> between Bennett and within a territory of one mile east, ten miles south, and ten miles north thereof, and Denver, Colorado, and intermediate points; freight and merchandise from Strasburg and surrounding territory to Denver and return, but not to any intermediate points; cement and plaster from Boettcher and La Porte, Colorado, to Bennett and Strasburg, Colorado, used farm machinery and equipment, and used household goods when moving a farmer between points in his present authorized territory, and to and from points in the State of Colorado, from and to points within his territory.

Under said certificate, he conducts a line haul service between Denver and Strasburg and the points intermediate thereto which he is authorized to serve under his authority aforesaid, and also conducts a call and demand common carrier service from and to points in the territory heretofore described.

He now seeks authority to transfer the line haul service authorized under said certificate to Hubert A. Haugen, Strasburg, Colorado.

The matter was heard in Denver, Colorado, on March 14, 1944.

At the hearing, it appeared that Hubert A. Haugen is the son of transferor; that about six months ago, he entered the Armed Forces of the United States of America; that, prior thereto, he conducted his father's operations under said certificate; that, due to lack of help since the departure of his son, transferor has been unable to properly conduct the business, although his daughter-in-law has assisted in the management of the line haul operations; that she is willing to continue the management thereof; that applicant is unable to handle the operation, and is desirous of transferring said line haul operation to said son, without consideration; that all outstanding operating obligations have been paid; that transferee also is to take over the certificate number, PUC No. 273, and ton-mile deposit is to be transferred to his credit and a new number is to be issued to transferor, who also is to make the deposit to cover operations retained by him and to be conducted under the new certificate number.

After careful consideration of the record, the Commission is of the opinion, and finds, that the authority sought should be granted.

O R D E R

IT IS ORDERED:

That Thomas Haugen, Strasburg, Colorado, should be, and he hereby is, authorized to transfer all his right, title and interest in and to all that part of PUC No. 273 which authorizes a line haul operation between Denver, Colorado, and Strasburg, Colorado, and some points intermediate, to Hubert A. Haugen, Strasburg, Colorado, with the proviso that under his call and demand rights reserved by him, said Thomas Haugen shall not operate between points served under the line haul authority transferred.

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

That the number "PUC 273" shall be assigned to the operations of transferee; that the ton-mile tax deposit paid to cover operations under said PUC No. 273 shall be transferred to the credit of transferee; that a new number shall be assigned for the call and demand operations of Thomas Haugen, and he shall pay ton-mile tax deposit to the Commission to cover said operations.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 23rd day of March, 1944.

BH

(Decision No. 22089)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

*****

IN THE MATTER OF THE APPLICATION OF FRED W. ANDERSON, 321 BONFOY STREET, COLORADO SPRINGS, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 6549-PP
SUPPLEMENTAL ORDER

March 23, 1944.

Appearances: Fred W. Anderson, Colorado Springs, Colorado, pro se.

S T A T E M E N T

By the Commission:

On February 23, 1944, by Decision No. 21968, the Commission authorized applicant to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

> coal from coal mines in El Paso County to the City of Colorado Springs and points within a radius of twenty miles thereof, hay from Park County to Colorado Springs, and props from West Creek to the City Mine in El Paso County.

Applicant, in writing, has requested the Commission to strike therefrom authority to haul hay from Park County to the City of Colorado Springs and props from West Creek to the City Mine in El Paso County.

After careful consideration of the record, the Commission is of the opinion, and finds, that said request should be granted.

O R D E R

IT IS ORDERED:

That all that part of the Order contained in Decision No. 21968, of date February 23, 1944, reading:

> "hay from Park County to Colorado Springs, and props from West Creek to the City Mine in El Paso County",

should be, and the same hereby is, deleted from the authority granted applicant, and that said authority shall now read:

"coal from coal mines in El Paso County to the City of Colorado Springs and points within a radius of twenty miles thereof."

That said Decision No. 21968 shall, in all other respects, remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 23rd day of March, 1944.

BH

Original

(Decision No. 22090)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

IN THE MATTER OF THE APPLICATION OF)
FRED GIBSON, LA JARA, COLORADO, FOR) APPLICATION NO. 6262-B
AN EXTENSION OF PUC NO. 1520.)

IN THE MATTER OF THE APPLICATION OF)
LUTE VANCE, LA JARA, COLORADO, FOR) APPLICATION NO. 1320-AB
AN EXTENSION OF PUC NO. 441.)

March 23, 1944.

Appearances: Marion F. Jones, Esq., Denver, Colorado, for applicants; Conour and Conour, Esqs., Del Norte, Colorado, for Edward T. Walker, James E. Ashton; A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company; T. A. Stockton, Jr., Esq., Denver, Colorado, for J. F. Gallegos; T. A. White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.

S T A T E M E N T

By the Commission:

By Decision No. 20775, dated April 10, 1943, Fred Gibson, of La Jara, Colorado, was authorized to operate as a motor vehicle common carrier, on call and demand, for the transportation of:

> farm products, including livestock, and wool in grease, and farm equipment, between points within the area extending to the Colorado-New Mexico state line on the south; on the north to a line drawn east and west through a point ten miles north of La Jara; on the east to a line drawn north and south through Mesita; and on the west to a line drawn north and south through a point seven miles west of La Jara, and from and to points in said area, to and from points in the State of Colorado, without the right to transport farm equipment between towns served by line haul "motor vehicle carriers" operating on schedule.

By Decision No. 10638, on September 27, 1937, applicant Lute Vance was authorized to acquire, and subsequently did acquire, the common carrier

certificate of Raymond H. Bodley, PUC No. 441, which authorized the transportation by motor vehicle, not on schedule:

> between La Jara and Carmel, Colorado, and the vicinities thereof, and other points within a radius of 30 miles thereof, of farm products (including livestock), household goods and other commodities, not including merchandise consigned to retail stores.

As amended by Decision No. 19734, said certificate, by the same order (Decision No. 10638) was extended to include the right to transport:

> farm products, including livestock, from farms within a radius of fifteen miles of La Jara to railroad shipping points, elevators and markets in the San Luis Valley; flour mill products from La Jara to Sanford, Romeo, Manassa and Antonito, and farm supplies (specifically including farm equipment, machinery, coal, sacks, cement, plaster, lumber, and other building materials, and household furnishings and fixtures) from La Jara to farms within a radius of fifteen miles thereof.

Said Gibson now seeks to extend his authority to include the transportation of "emigrant moveables and farm supplies," and to extend the western boundary of his said territory to a line drawn north and south through a point fifteen miles west of La Jara, instead of to a line drawn north and south through a point seven miles west of La Jara.

Said Vance seeks to extend authority under his said certificate so that he may be authorized to "transport farm products, including livestock and wool in grease, farm equipment and supplies, and emigrant moveables between points within a fifteen-mile radius of La Jara on the north, west and east and the State Line on the south on the one hand, and other points in the State of Colorado, on the other hand."

Said matters were set for hearing at Alamosa, Colorado, on March 7, 1944, at which time they were consolidated for hearing, and heard.

A number of witnesses, including Gibson, Vance, Ted Parsons in person, and Oscar Horton, Ray C. Clark, J. E. Vanott, Dale Skinner, ranchers living in the vicinity of La Jara, and John Layton, a rancher of Manassa, by stipulation, testified as to the public need and convenience with respect to said service.

Applicants stated that "farm supplies", as construed by them, does not include commodities used for human consumption, wearing apparel, etc.

No objections were interposed, and no testimony was offered by protestants.

The matters were taken under advisement.

After careful consideration of the record, the Commission is of the opinion, and now finds, that public convenience and necessity require the proposed extensions of the respective certificates of public convenience of said Fred T. Gibson and Lute Vance, and that certificates of public convenience and necessity should issue therefor.

O R D E R

IT IS ORDERED:

That public convenience and necessity require the extended motor vehicle common carrier service of Fred Gibson, on call and demand, for the transportation of emigrant moveables and farm supplies in the territory he is now authorized to serve (Decision No. 20775), and the extension of the western boundary of said territory to a line drawn north and south through a point fifteen miles west of La Jara, instead of to a line drawn north and south through a point seven miles west of La Jara, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That public convenience and necessity require the extended motor vehicle common carrier service of Lute Vance, on call and demand, for the transportation of farm products, including livestock and wool in grease, farm equipment and supplies, and emigrant moveables, between points within a fifteen-mile radius of La Jara on the north, west and east, and the State Line on the south, on the one hand, and other points in the State of Colorado, on the other hand, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

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

Applicants shall operate their carrier systems in accordance with the order of the Commission except when prevented by Act of God, the public enemy or extreme conditions.

This order is subject to compliance by applicants with all present and future laws and rules and regulations of the Commission.

The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 23rd day of March, 1944.

BH

Original

(Decision No. 22091)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
E. A. GREEN AND SONS, ROUTE 2,)
ALAMOSA, COLORADO, FOR A CLASS "B") APPLICATION NO. 6569-PP
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

March 24, 1944.

Appearances: Conour and Conour, Esqs., Del Norte, Colorado, for James E. Ashton and E. T. Walker;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company;
T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association;
T. A. White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.;
Marion F. Jones, Esq., Denver, Colorado, for Lute Vance and Fred T. Gibson.

S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing at Alamosa, Colorado, on March 7, 1944, due notice of the time and place of hearing being forwarded to parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing.

Thereupon, T. A. White, in behalf of Rio Grande Motor Way, Inc., moved that said application be dismissed for lack of prosecution, in which motion all other protestants joined.

The matter was taken under advisement.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be dismissed for lack of prosecution.

O R D E R

IT IS ORDERED:

That the above-styled matter should be, and the same hereby is, dismissed for lack of prosecution.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

K T Thomas

Marion Tuttle

Commissioners.

Dated at Denver, Colorado,
this 24th day of March, 1944.

BH

(Decision No. 22092)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF)
KENNETH V. WRIGHT, CENTER, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE) APPLICATION NO. 6577-PP
AS A PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

March 24, 1944.

S T A T E M E N T

By the Commission:

On January 11, 1944, Kenneth V. Wright filed application for a Class "B" permit to operate as a private carrier by motor vehicle for hire.

The matter was set for hearing at Alamosa, Colorado, on March 8, 1944, at 9:30 o'clock A. M.

By letter, dated February 26, 1944, applicant asked that said application be dismissed.

After careful consideration of the record, the Commission is of the opinion, and finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That the above-styled application should be, and the same hereby is, dismissed without prejudice.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 24th day of March, 1944.

BH

(Decision No. 22093)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
CONOVER LUMBER CO.) PERMIT NO. C-9595
700 W. Ellsworth Ave.,)
Denver 9, Colorado.)
)

March 24, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Conover Lumber Company of Denver, Colorado, requesting that his Permit No. C-9595 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-9595, heretofore issued to Conover Lumber Co., 700 W. Ellsworth Ave., Denver 9, Colorado be, and the same is hereby, declared cancelled effective March 14, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomas

Edward J. Carroll

Malcolm Ericksen

Commissioners.

Dated at Denver, Colorado,

this 24th day of March, 19 44.

(Decision No. 22094)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
RED ELEPHANT METALS INC.) PERMIT NO. C -9681
325 W. Colfax Ave.,)
Denver 5, Colorado.)
)

March 24, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Red Elephant Metals Inc. of Denver, Colorado, requesting that his Permit No. C-9681 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-9681, heretofore issued to Red Elephant Metals Inc., 325 W. Colfax Ave., Denver 4, Colorado be, and the same is hereby, declared cancelled effective March 21, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Harry A. Allison

Edward J. Keegan

Malcolm Ericson

Commissioners.

Dated at Denver, Colorado,

this 24th day of March, 19 44.

(Decision No. 22095)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
ROBINSON BRICK COMPANY)
420 Exchange Bldg.,)
Denver 2, Colorado.)
)

PERMIT NO. C-9968

March 24, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Robinson Brick Company of Denver, Colorado, requesting that his Permit No. C-9968 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-9968, heretofore issued to Robinson Brick Company, 420 Exchange Bldg., Denver 2, Colorado be, and the same is hereby, declared cancelled effective March 10, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Johnson

David S. Knaebel

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 24th day of March, 19 44

(Decision No. 22096))

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
RALPH H. LEWTON)
Box 775,)
Lyons, Colorado)
)

PERMIT NO. C-11626

March 24, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Ralph H. Lewton of Lyons, Colorado, requesting that his Permit No. C-11626 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-11626, heretofore issued to Ralph H. Lewton, Box 775, Lyons, Colorado be, and the same is hereby, declared cancelled effective February 14, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomson

Edward D. Mueller

Marion Erickson

Commissioners.

Dated at Denver, Colorado,

this 24th day of March, 19 44

(Decision No. 22097)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
LEO HAYDEN) PERMIT NO. C-11919
Goodland)
Kansas)
)

March 24, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Leo Hayden of Goodland, Kansas, requesting that his Permit No. C-11919 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-11919, heretofore issued to Leo Hayden, Goodland, Kansas be, and the same is hereby, declared cancelled effective March 22, 1944

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/ Henry D. Thomas

Edward E. Keller

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 24th day of March, 19 44

(Decision No. 22098)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
ROY W. SMITH) PERMIT NO. C-13669
Nucla)
Colorado)
)

March 24, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Roy W. Smith of Nucla, Colorado, requesting that his Permit No. C-13669 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13669, heretofore issued to Roy W. Smith, Nucla, Colorado be, and the same is hereby, declared cancelled effective January 29, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry O. Shawcroft

David C. Sadler

Malcom Ericsson

Commissioners.

Dated at Denver, Colorado,

this 24th day of March, 19 44

(Decision No. 22099))

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
GROSS, KELLY & CO.) PERMIT NO. C-13740
103 N. 3d,)
Gallup, N. M.)
)

March 24, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Gross, Kelly & Co. of Gallup, New Mexico, requesting that his Permit No. C-13740 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13740, heretofore issued to Gross, Kelly & Co., 103 N. 3d, Gallup, N. M. be, and the same is hereby, declared cancelled effective March 6, 1944

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 24th day of March, 19 44

(Decision No. 22100)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
D. H. ROATCAP COAL & TRANSFER) PERMIT NO. C-13873
Olathe)
Colorado)
)

March 24, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from D. H. Roatcap Coal & Transfer of Olathe, Colorado, requesting that his Permit No. C-13873 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13873, heretofore issued to D. H. Roatcap Coal & Transfer, Olathe, Colorado be, and the same is hereby, declared cancelled effective March 1, 1944

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Johnson

Edward E. Conway

Thalma Erickson

Commissioners.

Dated at Denver, Colorado,

this 24th day of March, 19 44

(Decision No. 22101)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
SUPERIOR SAND & GRAVEL CO.) PERMIT NO. C-14055
123 Santa Fe Drive,)
Denver 9, Colorado)
)

March 24, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Superior Sand & Gravel Co. of Denver, Colorado, requesting that his Permit No. C-14055 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14055, heretofore issued to Superior Sand & Gravel Co., 123 Santa Fe Drive, Denver 9, Colorado be, and the same is hereby, declared cancelled effective February 28, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 24th day of March, 19 44

(Decision No. 22102))

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
ELDON STONE)
210 Walnut)
Ft. Morgan, Colo.)
)

PERMIT NO. C-14090

March 24, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Eldon Stone of Ft. Morgan, Colorado, requesting that his Permit No. C-14090 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14090, heretofore issued to Eldon Stone, 210 Walnut, Ft. Morgan, Colo. be, and the same is hereby, declared cancelled effective March 1, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 24th day of March, 19 44

(Decision No. 22103))

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
BERNICE CAVE)
Rt. 2,)
Holly, Colorado)
)

PERMIT NO. C-14257

March 24, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Bernice Cave of Holly, Colorado, requesting that his Permit No. C-14257 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14257, heretofore issued to Bernice Cave, Rt. 2, Holly, Colorado be, and the same is hereby, declared cancelled effective March 18, 1944

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 24th day of March, 19 44

(Decision No. 22104))

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
NATALE BOGGIO)
1747 Tremont)
Denver, Colorado)
)

PERMIT NO. C-14381

March 24, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Natale B oggio of Denver, C olorado, requesting that his Permit No. C-14381 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14381, heretofore issued to Natale Boggio, 1747 Tremont, Denver, Colorado be, and the same is hereby, declared cancelled effective February 29, 1944

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 24th day of March, 19 44

(Decision No. 22105)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
CHAS. WITTHUHN & WILBUR EDWARDS) PERMIT NO. C-14569
80 S. Harlan)
Denver 14, Colorado)
)

March 24, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Chas. Witthuhn ~~& Wilbur Edwards~~ of Denver, Colorado, requesting that his Permit No. C-14569 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14569, heretofore issued to Chas. Witthuhn & Wilbur Edwards, 80 S. Harlan, Denver 14, Colorado be, and the same is hereby, declared cancelled effective February 28, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 24th day of March, 1944

(Decision No. 22106)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
VICTOR ALARIE LAURENT) PERMIT NO. C-14617
Idaho Springs, Colorado)
)
)

March 24, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Victor Alarie Laurent of Idaho S pgs., Colorado, requesting that his Permit No. C-14617 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14617, heretofore issued to Victor Alarie Laurent, Idaho Springs, Colorado be, and the same is hereby, declared cancelled effective March 14, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry O. Johnson

Edward E. Jewell

Malcom Eggleston

Commissioners.

Dated at Denver, Colorado,

this 24th day of March, 19 44

rigind

(Decision No. 22107)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF A GENERAL INVESTIGATION OF THE FREIGHT RATES AND CLASSIFICATION OF FREIGHT OF ALL COMMON AND PRIVATE MOTOR VEHICLE CARRIERS.

CASE NO. 1585
(Reduced rate on Empty Containers returned from Climax, Colo. to Denver, Colo., via Schaeffer Truck Line)

March 24, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a petition from the Schaeffer Truck Line by its Attorney, John P. Beck, requesting authority to continue in effect a rate of 16 cents per 100 pounds on returned empty containers from Climax, Colo., to Denver, Colo., and that the authority be made retroactive as of September 5, 1943.

On September 2, 1941, Decision No. 17594, in Case No. 1585, the Commission prescribed the above mentioned rate with an expiration date of September 5, 1943.

In prescribing the 16 cent rate in Decision No. 17594, the matter was before the Commission upon a petition of the present petitioner wherein it was stated that"the 16 cent rate is now applicable via rail in 10,000-pound lots. The request to apply the 16 cent rate is made because of The Climax Molybdenum Company, which is moving shipments of acetylene gas and oxygen gas in less than truckload lots from Denver to Climax. The Climax Molybdenum Company at one time assured the Colorado and Southern Railway Company that all of its shipments would move by rail, except emergencies. This is considered by that company as an emergency movement and is moving via truck."

At that time the Commission received a letter from Mr. G. H. Rehm, Freight Traffic Manager, The Colorado and Southern Railway Company, advising that the Colorado and Southern Railway would not oppose the publication of the proposed rate provided it was published to expire not more than two years after the effective date, which he understood would be satisfactory to the truck line.

The rate department of the Commission has contacted Mr. Rehm relative to the present petition and is advised that he has no objection to the re-establishment of the rate provided it is limited to the duration of the war and six months thereafter.

In regard to making the rate retroactive the Commission is of the opinion that the request should be denied. Any other course of action will have a tendency on the part of carriers to disregard their published schedules, thereby defeating the intention and purpose of the Public Utilities Act.

If shipments have been moving since September 5, 1943, on what the petitioner feels have been unreasonable rates, his recourse should be through informal reparation channels as set forth in the Commission's First Revised General Order No. 18.

The Commission finds that a rate of 16 cents per 100 pounds on returned empty containers from Climax, Colo., to Denver, Colo., (subject to the tariff of increased rates) will be a just, fair, reasonable and sufficient maximum and minimum rate for the duration of the war and six months thereafter, for scheduled motor vehicle common carriers and a minimum rate for Class A private carriers by motor vehicle; that the request to make the rate retroactive as of September 5, 1943 should be denied.

O R D E R

IT IS ORDERED, That this order shall become effective forthwith; that a rate of 16 cents per 100 pounds on returned empty containers from Climax, Colorado, to Denver, Colorado, (subjedt to the tariff of increased rates) shall be published by all scheduled motor vehicle common carriers operating in intrastate commerce in Colorado to the extent they are affected; that a minimum rate of 16 cents per 100 pounds shall be published by all Class A private carriers to the extent they are affected; that all call and demand common carriers and Class B private carriers by motor vehicle to the extent they are affected shall publish a rate which shall not be less than twenty (20) per cent more than the aforesaid sixteen (16) cents; that the publication shall be made effective on March 29, 1944, on notice to this Commission and the general public by not less than one day's filing and posting in the manner prescribed in Section 16 of the Public Utilities Act of 1913 and Section 10, Chapter 120, Session Laws of 1931, as amended; that on and after said effective date of this order, all affected scheduled motor vehicle common carriers shall cease and desist from demanding, charging and collecting rates and charges which shall be greater or less than the rates and charges herein prescribed; that all affected call and demand motor vehicle common carriers and Class B private carriers shall cease and desist from demanding, charging and collecting rates and charges which shall be less than 20 per cent more than the 16-cent rate herein prescribed; that Class A private carriers by motor vehicle, to the extent they are affected, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those prescribed herein; that this order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier, or to subject any such private carrier by motor vehicle to the laws or liability applicable to a motor vehicle common carrier; that the request to make said rate retroactive to September 5, 1943, be, and the same is hereby denied; that the order entered in Case No. 1585 on February 5, 1936, as amended, shall continue in force until the further order of the Commission; that jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ [illegible]

/s/ [illegible]

Commissioners

Dated at Denver, Colorado,
this 24th day of March, 1944
JH

(Decision No. 22108)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
GOVER MOVING & STORAGE COMPANY,) PERMIT NO. 1523-I
334 North Main St., OTTAWA,)
Kansas.)

March 24, 1944.

S T A T E M E N T

By the Commission:

On February 11, 1944, the Commission entered its order in Case No. 31498-Ins., revoking Certificate No. 1523-I for failure of respondent to file the necessary insurance required by law and our rules and regulations.

On March 10, 1944, a communication was received from said respondent, stating that the insurance agent had been delayed in filing certificate of insurance, and requesting that said certificate be reinstated.

It appears that proper insurance is now on file, and we are of the opinion, and find, that said request should be granted.

O R D E R

IT IS ORDERED:

That Certificate No. 1523-I, heretofore issued to Gover Moving and Storage Company, Ottawa, Kansas, be, and the same hereby is, reinstated, effective March 16, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 24th day of March, 1944.

BH

(Decision No. 22109)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

******

RE MOTOR VEHICLE OPERATIONS OF)
DONIVAN A. CLICK, DOING BUSINESS) P. U. C. NO. 1511-I
AS NATIONAL DRIVEAWAY SYSTEM,)
ELWOOD, INDIANA.)

March 24, 1944.

S T A T E M E N T

By the Commission:

On October 1, 1943, Decision No. 21421, the Commission suspended Certificate No. 1511-I, heretofore issued to Donivan A. Click, doing business as National Driveaway System, of Elwood, Indiana, for a period of six months from September 18, 1943.

We are now in receipt of a communication from said certificate-holder stating that he is not operating in Colorado at the present time, and requesting a further suspension of said permit for six months from March 18, 1944.

After careful consideration, the Commission is of the opinion, and so finds, that said request should be granted.

O R D E R

IT IS ORDERED:

That Donivan A. Click, doing business as National Driveaway System, Elwood, Indiana, be, and he hereby is, authorized to suspend his operations under Certificate No. 1511-I for a period of not to exceed six months from March 18, 1944.

That unless said Donivan A. Click, dba National Driveaway System shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said certificate, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to certificate holders, said certificate, without further action by the

Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 24th day of March, 1944.

BH

(Decision No. 22110)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
ESLICK, Murl)
Penrose)
Colorado)
)

PERMIT NO. C- 14687

March 25, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Murl Eslick of Penrose, Colorado, requesting that his Permit No. C-14687 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14687, heretofore issued to Murl Eslick, Penrose, Colorado be, and the same is hereby, declared cancelled effective January 8, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

this 25th day of March, 19 44

(Decision No. 22111)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF MURL ESLICK, PENROSE, COLORADO.

APPLICATION NO. 6472-PP

March 25, 1944

S T A T E M E N T

By the Commission:

On September 29, 1943, by Decision Number 21399, in Application Number 6472-PP, Murl Eslick of Penrose, Colorado was granted authority to operate as a Class "B" private carrier by motor vehicle for hire.

The Commission is now in receipt of a communication from said permit holder, requesting that said authority be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That the authority granted to Murl Eslick of Penrose, Colorado, in Application Number 6472-PP, by Decision Number 21399 be, and the same is hereby, declared cancelled effective January 8, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 25th day of March, 1944.

hs

(Decision No. 22112))

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
L. A. CANTRELL)
1434 Santa Fe Drive,)
Denver 4, Colorado)
)

PERMIT NO. C -14732

March 25, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from L. A. Cantrell of Denver, Colorado, requesting that his Permit No. C-14732 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14732, heretofore issued to L. A. Cantrell, 1434 Santa Fe Drive, Denver 4, Colorado be, and the same is hereby, declared cancelled effective March 16, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Thomson

Edward D. Keeler

Malcolm Erickson

Commissioners.

Dated at Denver, Colorado,

this 25th day of March, 19 44

(Decision No. 22113)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
JOHN GLEASON) PERMIT NO. B-2918
P. O. Box 293)
Arvada, Colorado)
)

March 25, 1944

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from John Gleason of Arvada, Colorado, requesting that his Permit No. B-2918 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. ~~B-2918~~, heretofore issued to John Gleason, P. O. Box 293, Arvada, Colorado be, and the same is hereby, declared cancelled effective March 15, 1944.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Allen

Edward J. Keating

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 25th day of March, 1944

(Decision No. 22214)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
JOHN SCHLEIGER, ROUTE 2, BOX)
160, FORT COLLINS, COLORADO.)

PRIVATE PERMIT NO. B-2069

March 24, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above-named permittee, requesting that Permit No. B-2069 be suspended since he had no use for it at present.

After careful consideration of the record, the Commission is of the opinion, and finds, that said request should be granted.

O R D E R

IT IS ORDERED:

That John Schleiger, of Fort Collins, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-2069 for a period of not to exceed six months from March 21, 1944.

That unless said John Schleiger shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carriers, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 24th day of March, 1944.

BH

(Decision No. 22115)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
DONALD L. FOUST, 1715 S. DOWNING) PERMIT NO. B-2787
Street, DENVER, COLORADO.)

March 25, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2787 be suspended for the duration of the present war and for six months thereafter.

After careful consideration of the record, the Commission is of the opinion, and finds, that said request should be granted and that cash deposit now on file with the Commission should be refunded to permittee.

O R D E R

IT IS ORDERED:

That Donald L. Foust, Denver, Colorado, should be, and he hereby is, authorized to suspend his operations under Permit No. B-2787 for the duration of the present war and for six months thereafter, and that ton-mile cash deposit now on file with the Commission should be refunded to permittee.

That unless said Donald L. Fouse shall, prior to expiration of said suspension period, reinstate said permit by filing insurance and otherwise complying with all rules and regulations of the Commission applicable to private carriers, said permit, without further action on the part of the Commission, shall stand revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 25th day of March, 1944.

BH

(Decision No. 22116)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
YELLOW CAB COMPANY AND/OR BOULDER) P.U.C. NO. 1358
TAXI COMPANY, 3158 ELEVENTH ST.,)
BOULDER, COLORADO.)

March 24, 1944.

S T A T E M E N T

By the Commission:

On September 11, 1943, by Decision No. 21348, Yellow Cab Company and/or Boulder Taxi Company, Boulder, Colorado, were authorized to suspend operations under PUC 1358 for a period of not to exceed six months from October 1, 1943.

The Commission is now in receipt of a communication from James F. Burk, manager of said companies, requesting authority to further suspend operations under said certificate for six months.

The Commission is of the opinion, and finds, that said request should be granted.

O R D E R

IT IS ORDERED:

That Yellow Cab Company and/or Boulder Taxi Company, Boulder, Colorado, be, and they hereby are, authorized to suspend operations under PUC 1358 for a further period of not to exceed six months from April 1, 1944.

That unless said Yellow Cab Company and/or Boulder Taxi Company, prior to the expiration of said suspension period, shall make request in writing for reinstatement of said certificate, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to common carriers, said certificate, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 24th day of March, 1944.
BH

(Decision No. 22117)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE HEINRICH, 3720 DOWNING) PERMIT NO. B-2721
STREET, DENVER, COLORADO.)

March 27, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from George Heinrich, Denver, Colorado, stating that he is entering the Armed Forces of the United States, and requesting that suspension of operations under his Permit No. B-2721 be authorized for the duration of the present war and for a period of six months thereafter, effective March 23, 1944.

After careful consideration of the record, the Commission is of the opinion, and finds, that said suspension should be authorized.

O R D E R

IT IS ORDERED:

That George Heinrich, Denver, Colorado, should be, and he hereby is, authorized to suspend his operations under Permit No. B-2721 for the duration of the present war in which the United States is engaged, and for a period of six months thereafter, effective March 23, 1944.

That unless said George Heinrich shall, prior to expiration of said suspension period, reinstate said permit by filing insurance and otherwise complying with all rules and regulations of the Commission applicable to private carriers, said permit, without further action on the part of the Commission, shall stand revoked, without right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 27th day of March, 1944.

BH

(Decision No. 22118)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

RE MOTOR VEHICLE OPERATIONS OF)
PARKINSON TRANSFER AND TRANSPORTA-)
TION COMPANY, DELTA, COLORADO.)

P.U.C. NO. 934
PRIVATE PERMIT NO. A-60

March 27, 1944.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above-named certificate holder, requesting that Certificate No. 934 and private permit No. A-60 be suspended for an additional period of six months from March 31, 1944.

Several suspensions heretofore have been granted in the above matters. However, it now appears that Mr. Parkinson, principal owner of said permits, is ill and a doctor's certificate to that effect is attached to his application for suspension.

It further appears that two of his boys, both of whom are interested in the permits, are away from home - one being in the Armed Forces, and the other engaged in vital war work.

Inasmuch as the Commission has had no complaints from shippers in the territory served by this concern that service is inadequate, and after a careful consideration of the matter, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That Parkinson Transfer and Transportation Company should be, and hereby is, authorized to suspend operations under Certificate No. 934 and Private Permit No. A-60 for a period of six months from April 1, 1944.

That unless said Parkinson Transfer and Transportation Company shall, prior to expiration of said suspension period, make a request in writing for reinstatement of said certificate and permit, file insurance, and otherwise

comply with all rules and regulations of the Commission applicable to certificates of public convenience and necessity and private carrier permits, said certificate and permit, without further action on the part of the Commission, shall stand revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

/s/ I. D. Thorman

/s/ Mac Ellison

Commissioners.

Dated at Denver, Colorado,
this 27th day of March, 1944.

BH

Original

(Decision 22119)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF A. MILNER, OTHERWISE KNOWN AS AUBREY MILNER, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF A DOMESTIC WATER SYSTEM IN ARAPAHOE COUNTY, COLORADO, TO BE KNOWN AS THE LEELAND HEIGHTS WATER SYSTEM.	APPLICATION NO. 6556.

March 27, 1944.

Appearances: Lee, Shaw & McCreery, Denver, Colorado, for the applicant;
Darwin D. Coit, Esq., Denver, Colorado, for Sam H. Schaefer, doing business as Schaefer Water Company;
Glenn G. Saunders, Esq., Denver, Colorado, for Board of Water Commissioners of City and County of Denver;
E. B. Evans, Esq., Denver, Colorado, for the Commission.

S T A T E M E N T

By the Commission:

On January 25, 1944, the applicant, A. Milner, otherwise known as Aubrey Milner, filed his application for a certificate authorizing him to operate a water system for the purpose of supplying water for domestic uses to the residents of the North Half of the North Half of the Southwest Quarter (also known as Leeland Heights) of Section 10, Township 5 South, Range 68 West of the 6th Principal Meridian, Arapahoe County, Colorado.

It appears from the evidence that the applicant and his predecessors have been operating said water system for a number of years, and that there is no other source of supply of water for the residents of said territory.

At the present time, the applicant is serving approximately eighty customers. The principal source of supply is from the system of

the Board of Water Commissioners of the City and County of Denver, Colorado. The applicant also owns a deep well which can be used as a stand-by service in the event of a shortage in the Denver Water System.

The attorney for the Board of Water Commissioners of the City and County of Denver appeared at the hearing and stated that, since the board is not able to serve as a utility, it will withdraw from any area which it is serving under contract at any time the Commission issues a certificate of public convenience and necessity covering any given area. He further stated that every contract for the delivery of water outside the City and County of Denver is terminable at the end of one year, and within that year may be terminated if the Board determines that the needs and requirements of the City and County of Denver are such as to require termination. He also stated that at the present time the Board has a rule that no further tap or connection may be made on its system except for retail use or under circumstances where the users, through the tap, will be billed direct by the Board,- that is, no further tap for wholesaling of water can now be granted by the Board, and, therefore, the system of applicant may not have another tap on the Denver Water Works System. He further stated that the Board hopes to be able to continue service, not only to Denver but also to the metropolitan area, on a contract basis.

The Commission, therefore, finds that the public convenienm and necessity require the service of the applicant in the territory described, for the purpose of supplying water to the residents therein.

O R D E R

IT IS ORDERED:

That the public convenience and necessity require that a certificate be issued to the applicant for the purpose of operating a system for distributing and supplying water for domestic purposes to the residents of the following described territory:

> Leeland Heights Dubdivision, which is also described as the North Half of the North Half of the Southwest Quarter of Section 10, Township 5 South, Range 68 West of the 6th P.M., in Arapahoe County, Colorado;

and that this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That applicant shall file, within thirty days from the date hereof, schedules of rates and rules and regulations governing its operations hereunder, to become effective after thirty days' notice to the Commission and the public.

That the applicant shall at all times operate under and be governed by the rules regulating the service of water utilities adopted by this Commission, effective June 1, 1935, and amendments thereto, and shall set up, establish, and keep its accounts in accordance with the Uniform System of Accounts for Water Utilities adopted by this Commission, effective January 1, 1916, and revised to April 1, 1920, and any amendments thereto.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

L. J. Thomas

Commissioners.

Dated at Denver, Colorado,
this 27th day of March, 1944.

BH

(Decision No. 22120)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MILK RATES FROM AUTHORIZED TERRITORY UNDER CERTIFICATE NO. 1125 (SANS AND BRISTOL) TO JOHNSTOWN, COLORADO.	)	INVESTIGATION AND SUSPENSION DOCKET NO. 254

March 25, 1944

S T A T E M E N T

By the Commission:

IT APPEARING, That there has been filed with The Public Utilities Commission of the State of Colorado, by Roy E. Sans and F. W. Bristol, doing business as Sans and Bristol, by F. W. Bristol, co-partner, a tariff containing schedules stating a new individual rate to become effective March 27, 1944, designated as follows:

Roy E. Sans and F. W. Bristol
d/b/a
Sans and Bristol
Supplement No. 3 to
Truck Tariff No. 1, Colo. P.U.C. No. 1;

that the said schedule makes an increase in the rate on milk from points in the territory authorized under Certificate No. 1125 to Johnstown, Colorado, whereby the rights and interests of the public may be injuriously affected; and it being the opinion of the Commission that the effective date of said schedule contained in said tariff should be postponed, pending a hearing and decision thereon:

IT IS ORDERED, That the Commission, upon complaint, without formal pleading, enter upon a hearing concerning the lawfulness of a rate of 20 cents per 100 pounds on milk from points located in the territory authorized under Certificate No. 1125 to Johnstown, Colorado; that the operation of the said schedule contained in said tariff be suspended, and that the use of the rate therein stated be deferred 120 days, or until July 25, 1944, unless otherwise ordered by the Commission, and no change shall be made in such rate during the period

of suspension; that the rate thereby sought to be altered shall not be changed by any subsequent tariff or schedule until this investigation and suspension proceeding has been disposed of, or until the period of suspension or any extension thereof has expired; that a copy of this order be filed with said schedule in the office of the Commission, and that copies hereof be forthwith served upon Sans and Bristol, Berthoud, Colorado, and Robert A. Nixon, Transportation and Public Utilities Division, Office of Price Administration, Washington, D. C.; that this proceeding be,and the same is hereby, assigned for hearing April 18, 1944, at 10 o'clock A.M., at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Commissioner Erickson absent)

XXXXXXXXXXXXXXXXXXXX
Commissioners

Dated at Denver, Colorado,
this 25th day of March, 1944

JH

(Decision No. 22121)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE FREE OF CHARGE TRANSPORTATION BY THE DENVER AND SALT LAKE RAILWAY COMPANY FROM MT. HARRIS, COLORADO, TO THE TABERNACLE COMMUNITY CHURCH, DENVER, COLORADO.	)	MISCELLANEOUS DOCKET NO. 191

March 27, 1944

S T A T E M E N T

By the Commission:

This matter is before the Commission upon a letter from The Denver and Salt Lake Railway Company, by F. J. Toner, its Traffic Manager, dated March 25, 1944, requesting authority to transport one carload of coal from Mt. Harris, Colorado, free of charge, on account of charity.

The shipment in question has been donated by a shipper on the line of The Denver and Salt Lake Railway Company, for use of the Tabernacle Community Church, a charitable institution, and is to be used for charity.

Section 17, paragraph (c) of The Public Utilities Act provides that the Commission may, by rule or order, authorize carriers to depart from their published tariff rates.

After full consideration of the facts as set forth, the Commission finds that the request should be authorized.

O R D E R

IT IS THEREFORE ORDERED, That The Denver and Salt Lake Railway Company be, and it is hereby, authorized to protect a free rate on one carload of coal from Mt. Harris, Colorado, to Denver, Colorado, consigned to the Tabernacle Community Church in care of the Colorado and Utah Coal Company, Denver, Colorado.

IT IS FURTHER ORDERED, That this order shall not be used as a precedent for other cases of a similar nature.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 27th day of March, 1944

JH

FORM 1601

Dec. 22121.
M.D. 191
3/27/44

THE DENVER AND SALT LAKE RAILWAY CO.

OFFICE OF TRAFFIC MANAGER

DENVER, COLORADO 2

F. J. TONER
TRAFFIC MANAGER

March 25, 1944

6

The Public Utilities Commission of the
State of Colorado,
State Office Building,
Denver, Colorado.

Gentlemen:

A carload of coal has been donated by one of the operators on our line to the Tabernacle Community Church, 20th and Lawrence Streets, Denver, a charitable institution. This car will be consigned to the Tabernacle Community Church in care of the Colorado & Utah Coal Company.

In view of the above we shall be pleased to haul this car of coal free of charge from the mine at Mt. Harris, Colorado to Denver, and we request your authority in line with Section 17-C of the Public Utilities Act to grant this free billing.

If consistent, we shall appreciate receiving this authority in duplicate.

Yours truly,

A.

F. J. Toner
B



(Decision No. 22122)

Original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF)
SAM H. SCHAEFER, DOING BUSINESS AS)
THE SCHAEFER WATER COMPANY, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE) APPLICATION NO. 5830 - AMENDED
AND NECESSITY FOR THE OPERATION OF)
A DOMESTIC WATER SYSTEM IN ARAPAHOE)
COUNTY, COLORADO.)

March 29, 1944.

Appearances: Darwin D. Coit, Esq., Denver, Colorado, for the applicant;
Lee, Shaw & McCreery, Esqs., and Charles J. Kelly, Esq., Denver, Colorado, for the Trentman-Milner Company;
Glenn G. Saunders, Esq., Denver, Colorado, for the Board of Water Commissioners of the City and County of Denver;
E. B. Evans, Esq., Denver, Colorado, for the Public Utilities Commission.

S T A T E M E N T

By the Commission:

On January 30, 1941, the Milner-Schaefer Water Company, a partnership composed of Aubrey Milner and Sam H. Schaefer, filed an application for a certificate of public convenience and necessity for the operation of a water system in Kentucky Gardens, Kentucky Gardens Annex, and Preston's Addition, all being subdivisions in Arapahoe County, Colorado.

Since the filing of that application, the Milner-Schaefer Water Company has been dissolved and a settlement agreement has been entered into between Sam H. Schaefer and Aubrey Milner covering the operation of the water system in the above subdivisions as well as in Westlawn Addition, which is contiguous to said subdivisions and also a subdivision in Arapahoe County.

On January 27, 1944, Sam H. Schaefer, an individual, doing

business as the Schaefer Water Company, filed an amended application in the above entitled proceeding, requesting that a certificate of public convenience and necessity be issued to him for the operation of the water system in the above-named subdivisions, and upon the amended application this proceeding was set for hearing in Denver, Colorado, on February 10, 1944.

At the hearing, it appeared that, in the dissolution of the partnership known as the Milner-Schaefer Water Company, Aubrey Milner had conveyed to Sam H. Schaefer all his interest in and to the subdivisions named above, and that Sam H. Schaefer is now the sole owner thereof.

It appears from the evidence that the applicant and his predecessors have, for a number of years, operated a water system in said subdivisions for the purpose of supplying the residents thereof with water for domestic use, and have constructed and now have in operation a system of water mains and feeder lines for that purpose. There is no other available source for supplying water for the domestic use of the inhabitants of said subdivisions, and there is a need for the service which has heretofore been rendered by the applicant and his predecessors, and which applicant proposes to continue to render.

The source of supply for said system is from the mains of the Board of Water Commissioners of the City and County of Denver, Colorado. In connection with this water system, the applicant owns a well approximately 600 feet deep, which applicant can use as a stand-by service for partially supplying the needs of his customers in the event of a shortage of water in the system of the Board of Water Commissioners.

The attorney for the Board of Water Commissioners of the City and County of Denver appeared at the hearing and stated that, since the Board is not able to serve as a utility, it will withdraw from any area which it is serving under contract at any time the Commission issues a certificate of public convenience and necessity covering any given area. He further stated that every contract for the delivery of water outside the City and County of Denver is terminable at the end of one year, and

within that year may be terminated if the Board determines that the needs and requirements of the City and County of Denver are such as to require termination. He stated also that at the present time the Board has a rule that no further tap or connection may be made on its system except for retail use or under circumstances where the users, through the tap, will be billed directly by the Board, that is, no further tap for wholesaling of water can now be granted by the Board and, therefore, the system of applicant may not have another tap on the Denver Water Works System. He further stated that the Board hopes to be able to continue service, not only to Denver but also to the metropolitan area, on a contract basis.

The applicant also has a 50,000-gallon steel tank for the purpose of storing water.

It appears from the evidence that the applicant is financially able to conduct the operation of said system.

The applicant is a resident of San Antonio, Texas. The principal office of applicant is now maintained at 3266 West Alameda Avenue in Arapahoe County, Colorado, and applicant proposes to continue maintaining said office at that place. In view of the fact that the applicant is a non-resident of the State of Colorado, the Commission is of the opinion that the applicant should file an affidavit of trade name with the Clerk and Recorder of Arapahoe County, Colorado, and that therein the applicant should appoint and designate an agent upon whom orders of this Commission can be served and upon whom service of process can be made upon the applicant.

In other subdivisions partially surrounding the territory above described by subdivisions, the Trentman-Milner Company has, for a number of years, operated a water system to supply the residents of such subdivisions with water for domestic purposes. The applicant testified that it was not his intention to serve any customers who were not located within the subdivisions named in his amended application. The Commission is therefore of the opinion that the authority of the applicant granted

by this certificate should be limited to service within the subdivisions hereinafter described, and that any extension of such service outside of said subdivisions can be made only upon application made to this Commission for authority to extend his service.

The Commission, therefore, finds that the public convenience and necessity require the service of the applicant in the territory described for the purpose of supplying water to the residents thereof.

O R D E R

IT IS ORDERED:

That the public convenience and necessity require that certificate be issued to the applicant for the purpose of operating a a water system and distributing and supplying water for domestic uses to the residents of the following described territory:

> Kentucky Gardens, Kentucky Gardens Annex, and
> Preston's Addition, all being subdivisions in
> Arapahoe County, Colorado,

and that this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That the applicant shall file, within forty-five days from the date hereof, schedules of rates and rules and regulations governing its operations hereunder, to become effective after thirty days' notice to the Commission and the public.

That the applicant shall at all times operate under and be governed by the rules regulating the service of water utilities adopted by this Commission, effective June 1, 1935, and amendments thereto, and shall set up, establish, and keep its accounts in accordance with the Uniform System of Accounts for Water Utilities adopted by this Commission, effective January 1, 1916, and revised to April 1, 1920, and any amendments thereto.

That applicant shall file with the clerk and recorder of the County of Arapahoe, Colorado, and with this Commission, an affidavit of

trade name covering the use of the name of the "Schaefer Water Company", and that therein applicant shall appoint and designate an agent in the County of Arapahoe upon whom orders of this Commission can be served and upon whom service of process can be made upon the applicant.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 29th day of March, 1944.

BH

Original

(Decision No. 22123)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF THE BEL-ADAMS WATER SYSTEM, 1735 STOUT STREET, DENVER, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF A DOMESTIC WATER SYSTEM IN ARAPAHOE COUNTY, COLORADO.	)	AMENDED APPLICATION NO. 5829

March 29, 1944.

Appearances: Lee, Shaw & McCreery, Esqs., and Charles J. Kelly, Esq., Denver, Colorado, for applicant;
Darwin D. Coit, Esq., Denver, Colorado, for Sam H. Schaefer, doing business as Schaefer Water Company;
Glenn G. Saunders, Esq., Denver, Colorado, for the Board of Water Commissioners of the City and County of Denver;
E. B. Evans, Esq., Denver, Colorado, for the Commission.

S T A T E M E N T

By the Commission:

On January 30, 1941, the Trentman-Milner Company, doing business as the Bel-Adams Water Company, and Sam H. Schaefer, filed an application for a certificate authorizing said applicants to supply domestic water to the residents of Federal Park, Adams Park, Adams Park Second Filing, Adams Park Annex, Adams Gardens, Westlawn Addition, Belmont Park, and Belmont Park Annex, all being subdivisions in Arapahoe County, Colorado.

On May 2, 1942, Sam H. Schaefer filed a statement in the above numbered proceeding, stating that, since the filing of the application herein, he had assigned his interest to A. Milner, otherwise known as Aubrey Milner, and requested that his name be stricken from the records as an applicant or as operator of said system.

On January 25, 1944, the Trentman-Milner Company, a co-partnership consisting of A. Milner, otherwise known as Aubrey Milner, John L. Trentman,

and Harry C. Trentman, filed an amended application in said proceeding for a certificate of public convenience and necessity authorizing it to supply domestic water to the residents of the following described territory:

> "That certain territory situate, lying and being in the North Half of the Northeast Quarter of Section 18; the North Half of the Southeast Quarter of the Northeast Quarter of Section 18; the Southeast Quarter of the Southwest Quarter of the Northeast Quarter of Section 18; the Northwest Quarter of Section 17; the North Half of the Southeast Quarter of Section 18; all in Township 4 S., Range 68 W., 6th, more particularly described as follows, to-wit:
>
> Federal Park Addition
> Adams Park Addition
> Adams Park Second Filing
> Adams Park Annex
> Adams Gardens Addition
> Belmont Park Addition
> Belmont Park Annex
>
> "(1) And including that certain water main extending 565' west of South Stuart Street on West Nevada Avenue, and including that certain water main extending 490' west of South Stuart Street on West Alaska Street, and including that certain water main extending 240' west of South Stuart Street on West Center Street."

In said application, it appeared that Sam H. Schaefer, doing business as Schaefer Water Company, is operating a water system in Westlawn Addition in said County for the purpose of supplying the inhabitants thereof with domestic water. From the evidence introduced at the hearing, it appeared that Sam H. Schaefer has conveyed to Aubrey Milner and the Trentman-Milner Company all his right, title, and interest in or to the water system involved in this proceeding and that the Trentman-Milner Company is now the sole owner thereof.

It appears from the files of the Commission that in the amended application in Application No. 5830, Sam H. Schaefer requests a certificate of public convenience and necessity for the purpose of supplying domestic water to said Westlawn Addition and to Kentucky Gardens, Kentucky Gardens Annex, and Preston's Addition, in said Arapahoe County, Colorado.

On February 10, 1944, this proceeding was heard by the Commission

upon the amended application of the applicant herein.

The applicant is a partnership consisting of Aubrey Milner, of 1735 Stout Street, Denver, Colorado; John L. Trentman, of Wichita, Kansas; and Harry C. Trentman, of Fort Worth, Texas. The principal office of the partnership is at 1735 Stout Street, Denver, Colorado. The interests of the partners are as follows: Aubrey Milner, 40 per cent; John L. Trentman, 30 per cent; and Harry C. Trentman, 30 per cent. The office of the partnership is in charge of Aubrey Milner, who also is manager of the water system involved in this proceeding.

It appears from the evidence that the predecessors of the applicant, and the applicant, have been supplying water for domestic use to the inhabitants of the subdivisions listed in the amended application for a number of years. The applicant and its predecessors were engaged in the business of subdividing said subdivisions and selling lots therein. At the time of the sale of lots to the purchasers it was agreed that the applicant or its predecessors would supply water to said lots for the use of the residents. It appears that in a great many instances the purchase price of the lots included an amount for the construction of the necessary pipe lines to conduct water to the property line of the lot. It appears that, in many instances, the applicant, or its predecessors, before constructing pipes to conduct water from the mains to the property line, and for the purpose of installing a meter, collected an additional charge for such service.

The evidence shows that, in the subdivisions listed above, the applicant or its predecessors have constructed and are now operating lines of pipe so as to serve every lot within said subdivisions. The evidence is not clear as to the dates on which the pipe lines were laid and installed, but a number of the lines have been installed and in operation for a number of years. The mains of the applicant consist of 1020 feet of six-inch pipe, 5908 feet of four-inch pipe, 1748 feet of three-inch pipe, 7586 feet of

two and one-half-inch pipe, 32,748 feet of two-inch pipe, and 10,374 feet of one and one-half-inch pipe.

The source of supply of the applicant consists of water purchased through two meters from the Board of Water Commissioners of the City and County of Denver. In the event of shortage of water, the applicant has a deep well which will not supply all of the present customers of applicant but will assist in enabling applicant to supply some water to its customers.

At the present time, the applicant is serving from 900 to 950 customers. Of these, 95 per cent are domestic users and 5 per cent commercial. The number of potential additional customers is about 250. The system of the applicant is the only source of supply available and there is a public need for applicant's service.

Aubrey Milner, who appeared as a witness for applicant, stated that it was not their intention to serve any customers outside of the subdivisions and the additional property described in the amended application.

The attorney for the Board of Water Commissioners of the City and County of Denver appeared at the hearing and stated that, since the Board is not able to serve as a utility, it will withdraw from any area which it is serving under contract at any time the Commission issues a certificate of public convenience and necessity covering any given area. He further stated that every contract for the delivery of water outside the City and County of Denver is terminable at the end of one year, and within that year may be terminated if the Board determines that the needs and requirements of the City and County of Denver are such as to require termination. He also stated that at the present time the Board has a rule that no further tap or connection may be made on its system except for retail use or under circumstances where the users, through the tap, will be billed directly by the Board,- that is, no further tap for wholesaling of water can now be granted by the Board, and, therefore, the system of applicant may not have another tap on the Denver Water

Works System. He further stated that the Board hopes to be able to continue service, not only to Denver but also to the metropolitan area on a contract basis.

It therefore appears that the only source of supply (except stand-by service) is from the Board of Water Commissioners of the City and County of Denver, and that the availability of such source is dependent upon the needs and requirements of the City of Denver itself.

The Commission therefore finds that the public convenience and necessity require the service of the applicant in the territory described, for the supplying of water to the residents therein.

O R D E R

IT IS ORDERED:

That the public convenience and necessity require that a certificate be issued to the applicant for the purpose of operating a system and distributing and supplying water for domestic purposes to the residents of the following described territory:

> "That certain territory situate, lying and being in the North Half of the Northeast Quarter of Section 18; the North Half of the Southeast Quarter of the Northeast Quarter of Section 18; the Southeast Quarter of the Southwest Quarter of the Northeast Quarter of Section 18; the Northwest Quarter of Section 17; the North Half of the Southeast Quarter of Section 18; all in Township 4 S., Range 68 W., 6th P. M., more particularly described as follows, to-wit:
>
> Federal Park Addition
> Adams Park Addition
> Adams Park Second Filing
> Adams Park Annex
> Adams Gardens Addition
> Belmont Park Addition
> Belmont Park Annex,
>
> "(1) And including that certain water main extending 565' west of South Stuart Street on West Nevada Avenue, and including that certain water main extending 490' west of South Stuart Street on West Alaska Street, and including that certain water main extending 240' west of South Stuart Street on West Center Street,"

all situated in the County of Arapahoe and State of Colorado; and that

and that this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That applicant shall file, within thirty days from the date hereof, schedules of rates and rules and regulations governing its operations hereunder, to become effective after thirty days' notice to the Commission and the public.

That the applicant shall at all times operate under and be governed by the rules regulating the service of water utilities adopted by this Commission, effective June 1, 1935, and amendments thereto, and shall set up, establish, and keep its accounts in accordance with the Uniform System of Accounts for Water Utilities adopted by this Commission, effective January 1, 1916, and revised to April 1, 1920, and any amendments thereto.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 27th day of March, 1944.

BH

Original

(Decision No. 22124)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

***

IN THE MATTER OF THE APPLICATION OF THE TRENTMAN-MILNER COMPANY FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF A DOMESTIC WATER SYSTEM IN ADAMS COUNTY, COLORADO, TO BE KNOWN AS "THE NORTH FEDERAL WATER SYSTEM."	)	APPLICATION NO. 6562

March 29, 1944.

Appearances: Lee, Shaw & McCreery, Esqs., and Charles J. Kelly, Esq., Denver, Colorado, for applicant;
Darwin D. Coit, Esq., Denver, Colorado, for Sam H. Schaefer, Doing business as Schaefer Water Company;
Glenn G. Saunders, Esq., Denver, Colorado, for the Board of Water Commissioners of the City and County of Denver;
E. B. Evans, Esq., Denver, Colorado, for the Commission.

S T A T E M E N T

By the Commission:

On January 25, 1944, the Trentman-Milner Company, doing business as the North Federal Water System, filed its application for a certificate of public convenience and necessity for the supplying of domestic water to North Federal Hills Subdivision, North Lawn Gardens Subdivision, North Lowell Heights Subdivision, and Hillsboro Subdivision, in Adams County, Colorado.

The applicant is a copartnership consisting of A. Milner, otherwise known as Aubrey Milner, 1735 Stout Street, Denver, Colorado; John L. Trentman, of Wichita, Kansas; and Harry C. Trentman, of Fort Worth, Texas. The principal office of the partnership is at 1735 Stout Street, Denver, Colorado. The interests of the partners are as follows: Aubrey Milner, forty per cent; John L. Trentman, thirty per cent; and Harry C. Trentman, thirty per cent. The office of the partnership is in charge of Aubrey Milner,

who also is manager of the water system involved in this proceeding.

It appears from the evidence that the applicant and its predecessors have been engaged in the subdividing of North Federal Hills Subdivision, and selling lots therein. At the time of the sale of lots to the purchasers, it was agreed that the applicant or its predecessors would supply water to said lots for the use of residents. It appears that, in a great many instances, the purchase price of the lots included an amount for the construction of necessary pipe lines to conduct water to the property line of the lot. In many instances, the applicant, before constructing the pipe line to conduct water from its mains to the property line, and for the purpose of installing a meter, collected an additional amount.

For a number of years prior to 1936, C. R. Goyn and his predecessors were engaged in the operation of a water system known as the North Lowell Heights Water Company, for the purpose of supplying water for domestic purposes to the residents of North Lowell Heights Addition between Lowell Boulevard and Irvine Street. Neither Mr. Goyn nor his predecessors ever applied to this Commission for a certificate of public convenience and necessity authorizing the construction of this system nor for the operation thereof. Notwithstanding that fact, Mr. Goyn, from December 24, 1936, has been operating under schedules or tariffs and rules and regulations filed with this Commission

Some time during the fall of 1943, Aubrey Milner purchased said system from C. R. Goyn and since then has been operating said system under and pursuant to the tariffs heretofore filed by Mr. Goyn. No application was made to secure authority from this Commission to transfer said system to Aubrey Milner. It now appears that Aubrey Milner has consolidated said system with the system through which he has been serving the residents of North Federal Hills and North Lawn Gardens. It appears from the evidence that the consideration which Aubrey Milner paid Mr. Goyn was $1500.00, and

the applicant desires to have the transfer from Mr. Goyn to it approved in this proceeding.

It appears that after the North Lowell Heights Water System was purchased, a main was laid across Hillsboro Subdivision for the purpose of connecting the North Lowell Heights system with the system in North Federal Hills and North Lawn Gardens. The applicant now proposes to serve the residents of Hillsboro Subdivision from said system.

The source of supply of water for the North Federal Water System consists of two wells, one well being a part of what was formerly the North Lowell Heights System, and the other being located in the North Lawn Gardens and Federal Hills System.

There is no other source of supply of water for the residents of the subdivisions described in this application than the system of the applicant, and there is a present need for applicant's service. At the present, the applicant is serving approximately one hundred customers, and the present system is capable of serving approximately one hundred more customers. The present source of supply of applicant is sufficient to serve this territory adequately.

The Commission therefore finds that the public convenieme and necessity require the service of the applicant in the territory described, for the supplying of water to the residents therein, and that the transfer of the North Lowell Heights Water System to the applicant should be approved, and that the said North Lowell Heights Water System should be included in the North Federal Water System.

O R D E R

IT IS ORDERED:

That the public convenience and necessity require that the transfer of the North Lowell Heights Water System from C. R. Goyn to Aubrey Milner be, and the same hereby is, approved; and that the said North Lowell

Heights Water System shall be included in the North Federal Water System.

That the public convenience and necessity require that a certificate be issued to the applicant for the purpose of operating a system for distributing and supplying water for domestic purposes to the residents of the following described territory, known as North Federal Hills Subdivision, North Lawn Gardens Subdivision, Hillsboro Subdivision, and North Lowell Heights Subdivision, more particularly described as follows:

a. A portion of the North Half of the Southeast Quarter of Section 5, Township 3 S., Range 68 W., 6th P. M., lying South of the Colorado & Southern Railroad right of way and platted as North Federal Hills Subdivision:

b. The South Half of the Southeast Quarter of Section 5, Township 3 S., Range 68 W., 6th P. M., platted as North Lawn Gardens Subdivision;

c. The North Half of the Southeast Quarter of the Southwest Quarter of Section 5, Township 3 S., 6th P. M., platted as Hillsboro Subdivision;

4. The Southwest Quarter of the Southwest Quarter of Section 5, Township 3 S., Range 68 W., 6th P.M., platted as North Lowell Heights Subdivision;

and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That the applicant shall file, within thirty days from the date hereof, schedules of rates and rules and regulations governing its operations hereunder, to become effective after thirty days' notice to the Commission and the public.

That the applicant shall at all times operate under and be governed by the rules regulating the service of water utilities adopted by this Commission, effective June 1, 1935, and amendments thereto, and shall set up, establish, and keep its accounts in accordance with the Uniform System of Accounts for Water Utilities adopted by this Commission, effective January 1, 1916, and revised to April 1, 1920, and any amendments thereto.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

J D Shuman

Walter Smith

Commissioners.

Dated at Denver, Colorado,
this 29th day of March, 1944.

BH

(Decision No. 22125)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF INTERSTATE TRANSIT LINES, A CORPORATION, 300 INTERNATIONAL TRUST BUILDING, DENVER, COLORADO, FOR THE CONSOLIDATION OF ITS SEPARATE ORDERS FOR THE ISSUANCE OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY, AND FOR THE EXTENSION OF ITS CERTIFICATE BETWEEN GREELEY, COLORADO, AND THE COLORADO-WYOMING STATE LINE SO AS TO INCLUDE AUTHORITY TO CARRY BAGGAGE, EXPRESS, MAIL, AND NEWSPAPERS, AND FOR THE EXTENSION OF ITS CERTIFICATES BETWEEN DENVER, COLORADO, AND THE COLORADO-KANSAS STATE LINE AND INTERMEDIATE POINTS ON U. S. HIGHWAY NO. 40, BETWEEN DENVER, COLORADO, AND THE COLORADO-WYOMING STATE LINE ON U. S. HIGHWAY NO. 85, SO AS TO INCLUDE AUTHORITY TO CARRY MAIL AND NEWSPAPERS.

APPLICATION NO. 6534

March 31, 1944

Appearances: E. G. Knowles, Esq., Denver, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above matter was heard, and taken under advisement, at Denver, Colorado, on January 11, 1944.

Applicant filed written motion, which was granted, to amend its above application by the insertion at the end of Paragraph 2(c), the following:

> "Decision No. 4320 of the Commission dated May 20, 1932, and decisions supplementary thereto entered in Application No. 1757, by virtue of which applicant operates motor vehicle charter coach service within the State of Colorado."

From the testimony of E. S. Haverly, Superintendent of applicant, and from the records of the Commission in connection with the decisions hereinafter mentioned, which records were made a part of the record herein, it was established:

1. Interstate Transit Lines is a corporation, organized and existing under and by virtue of the laws of the State of Nebraska;

2. Applicant has the following Certificates of Public Convenience and Necessity, by virtue of which it is regularly operating as common carrier by motor vehicle, in interstate and intrastate commerce within the State of Colorado, its Public Utilities Commission number being No. 394:

(a) Decision No. 2445, of the Commission, dated August 23, 1929, entered in Application No. 1417, by virtue of which applicant operates motor vehicle service for the transportation of passengers, baggage, and express, interstate and intrastate, between Denver, Colorado, and the Colorado-Kansas State Line and intermediate points, on U. S. Highway No. 40;

(b) Decision No. 2534, of the Commission, dated September 25, 1929, entered in Application No. 1417, by virtue of which applicant operates motor vehicle service for the transportation of passengers, baggage, and express in interstate commerce, only, between Denver, Colorado, and the Colorado-Wyoming State Line, on U. S. Highway No. 85;

(c) Decision No. 2812, of the Commission, dated March 31, 1930, entered in Application No. 1536-A, by virtue of which a certificate of public convenience and necessity formerly temporarily issued to Royal Coach Lines on March 3, 1930, Decision No. 2770, was made permanent and assigned to applicant, and under which applicant operates motor vehicle service for the transportation of passengers, baggage, and express in interstate and intrastate commerce between Greeley, Colorado, and the Colorado-Wyoming State Line, on U. S. Highway No. 85;

(d) Decision No. 4320 of the Commission, dated May 20, 1932, and decisions supplementary thereto entered in Application No. 1757, by virtue of which applicant operates motor vehicle charter coach service within the State of Colorado.

The Commission finds that public convenience and necessity require that the Motion to Amend the application, and the application itself, should be granted.

O R D E R

IT IS ORDERED:

That public convenience and necessity require the authority of Interstate Transit Lines to operate in interstate and intrastate commerce between Denver, Colorado, and the Colorado-Kansas State Line and intermediate points on U. S. Highway No. 40, and between Denver, Colorado, and the Colorado-Wyoming State Line in interstate commerce on U. S. Highway No.

85, be extended so that its operations shall include mail and newspapers as well as passengers, baggage and express, and the authority of the applicant to operate in interstate and intrastate commerce between Greeley, Colorado, and the Colorado-Wyoming State Line on U. S. Highway No. 85, be extended so that its operations shall include baggage, express, mail, and newspapers, as well as passengers, and that the several certificates of public convenience and necessity granted to Interstate Transit Lines, to-wit:

> (a) For transportation of passengers, baggage, express, mail, and newspapers, in interstate and intrastate commerce, between Denver, Colorado, and the Colorado-Kansas State Line and intermediate points on United States Highway No. 40;
>
> (b) For the transportation of passengers, baggage, express, mail, and newspapers, in interstate commerce only, between Denver, Colorado, and the Colorado-Wyoming State Line on United States Highway No. 85;
>
> (c) For the transportation of passengers, baggage, express, mail, and newspapers, in interstate and intrastate commerce, between Greeley, Colorado, and the Colorado-Wyoming State Line, on United States Highway No. 85;
>
> (d) For transportation by charter coach from and to all points within the State of Colorado in accordance with Decision No. 4320 of May 20, 1932, or decisions amendatory of or supplementary thereto;

be consolidated as a single certificate of public convenience and necessity to Interstate Transit Lines, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

Applicant shall file tariffs of rates, rules and regulations and time and distance schedules as required by the rules and regulations of this Commission within twenty (20) days from date.

Applicant shall operate its carrier system according to the schedule filed except when prevented by Act of God, the public enemy, or extreme conditions.

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

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 31st day of March, 1944.

mw

Original

(Decision No. 22126)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
SOUTHWESTERN TRANSPORTATION COMPANY,)
CANON CITY, COLORADO, AND RIO GRANDE) APPLICATION NO. 6584
MOTOR WAY, INC., DENVER, COLORADO,)
FOR AUTHORITY TO TRANSFER OPERATING)
RIGHTS.)

March 30, 1944

Appearances: Truman A. Stockton, Jr., Esq., Denver, Colorado, for Southwestern Transportation Company;
T. A. White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company.

S T A T E M E N T

By the Commission:

Southwestern Transportation Company, a Colorado corporation, is engaged in the transportation of property as a common carrier by motor vehicle, pursuant to certain certificates granted by this Commission, which operating rights were granted at different times under a number of applications, and briefly are as follows:

Application No. 570: Transportation of freight between Canon City and Denver, except no transportation is authorized between Colorado Springs and Denver.

Application No. 984: Transportation of freight between Florence and Denver, and the intermediate points of Portland and Concrete.

Application No. 968 (968-A): Transportation of freight originating in Denver to Salida and intermediate points between Canon City and Salida, which said certificate since January 29, 1931, has been operated in the transportation of freight from Salida, and points intermediate between Salida and Canon City, to Denver.

Application No. 968: Transportation of freight and express between Pueblo and Salida, and inter-

mediate points, except such transportation from Canon City or points east thereof to Pueblo, or from Pueblo to Canon City or points east thereof.

Application No. 968-A-BB: Transportation of freight in pick-up and delivery service within a radius of ten miles of Salida, except as to freight originating in or consigned to Canon City.

Application No. 1859: Transportation of freight and express between Penrose, Concrete, Portland, Florence, Canon City and Salida and intermediate points.

Application No. 1892: Transportation of freight in call and demand service from point to point within the City of Canon City and between points within a radius of 35 miles thereof, and between points within said radius and other points within the State of Colorado, subject to the condition that in the transportation of commodities other than household goods between points served by scheduled carriers, Southwestern Transportation Company shall charge rates at least 20% higher than rates charged by scheduled carriers, and that no operation shall be rendered on schedule and that no agency shall be established for the purpose of developing business in any town except Canon City, including the transportation of fruits and vegetables from all points along the Westcliffe Branch of The Denver and Rio Grande Western Railroad Company.

Application No. 1239-A: Transportation of freight and express between Colorado Springs and Canon City and intermediate points.

Application No. 2706: Extension of regular freight service in the transportation of freight to Royal Gorge, Chandler, Rockvale, Coal Creek, Kenwood, Wetmore and intermediate points, except service between Denver and Colorado Springs from and to said towns.

Application No. 2707: Transportation of freight, except coal, on regular schedule from and to Canon City, Florence, Penrose, Concrete, Portland, Chandler, Rockvale, Coal Creek, Royal Gorge, South Field and Wetmore to and from Victor and Cripple Creek and mines and mining communities located in the Cripple Creek District and intermediate points.

Application No. 2706-B: Transportation, not on schedule, of farm products, including vegetables, livestock, fish, household goods, mining and milling machinery, farm supplies, stone and timber from point to point within a radius of 35 miles of Salida, (excluding from said territory that portion lying west of the Continental Divide), and to and from points in said area, from and to points outside thereof, no service to be rendered between points served by regular scheduled certificated common carriers, and also including transportation of ore and concentrates from mines within a radius of five miles of Bonanza to railroad loading points of Villa Grove and Salida and to the smelter at Malta, Colorado.

Applications Nos. 605, 948: Transportation of freight between Florence and Pueblo and the intermediate points of Portland, Concrete and Penrose.

On March 10, 1944, Southwestern Transportation Company filed its application with the Commission to transfer to Rio Grande Motor Way, Inc., a portion of said operating rights, it to retain certain rights, the transfer, if consummated, in effect, permitting Motor Way to conduct a so-called "leap frog operation." The rights to be transferred are those which will authorize or permit Rio Grande Motor Way, Inc. to engage in the transportation of property in intrastate commerce as a common carrier by motor vehicle between Denver, Colorado Springs, Pueblo, Portland, Florence and Canon City on the one hand, and Salida, Colorado, and points intermediate between Canon City and Salida, Colorado, on the other hand, together with the right to operate pick-up and delivery service within a ten-mile radius of Salida, Colorado, free from restriction with respect to transportation of freight originating in or consigned to Canon City, Colorado, and also transportation, not on schedule, of farm products, including vegetables, livestock, fish, household goods, mining and milling machinery, farm supplies, stone and timber from point to point within a radius of thirty-five miles of Salida (excluding from said territory that portion lying west of the Continental Divide) and to and from points in said area, from and to points outside thereof, excluding service between points now served by scheduled common carriers, and the 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.

Southwestern Transportation Company is to retain the right to continue the transportation of property as a common carrier by motor vehicle in intrastate commerce between Denver, Colorado Springs and Pueblo on the one hand, and Portland, Concrete, Penrose, Florence, Canon City, Royal Gorge, Chandler, Rockvale, Coal Creek, Kenwood and Wetmore, Colorado, and points intermediate thereto, on the other hand, and also between Canon City, Florence, Penrose, Concrete, Portland, Chandler, Rockvale, Coal Creek, Royal Gorge, South Field and Wetmore and points intermediate to said

points, on the one hand and Victor and Cripple Creek and the mines and mining communities located in the Cripple Creek mining districts, on the other hand, together with the transportation of freight in call and demand service from point to point within the City of Canon City and between points within a radius of thirty-five miles thereof and between points within said radius and other points within the State of Colorado, subject to the condition that in the transportation of commodities other than household goods between points served by scheduled carriers, Southwestern Transportation Company shall charge rates at least 20% in excess of rates charged by scheduled carriers, and that no operation shall be rendered on schedule and no agency shall be established for the handling of call and demand business in any town except Canon City.

The matter was set for hearing, and heard, at Denver, Colorado, on March 23, 1944.

It there appeared that the terms of said sale and purchase are set forth in written agreement dated February 21, 1944, between transferor and transferee, which was marked "Exhibit 1," and made a part of the record herein; that the consideration for said transfer of the operating rights aforesaid is the sum of Seven Thousand Five Hundred Dollars ($7,500.00), payable Five Hundred Dollars ($500.00) at the time of signing the agreement, and Seven Thousand Dollars ($7,000.00) in cash upon approval of transfer by the Commission.

It further appeared that there are no outstanding obligations against the operation, except current operating accounts, which Southwestern Transportation Company is to pay; that its equipment is old, and it has been having some difficulty furnishing service required, especially between Canon City and Salida, where operating conditions are "tough and hazardous;" that Motor Way now operates a common carrier service between Canon City and Salida in connection with its service to other points in its territory, and will be able to handle most of the freight now moved by Southwestern on the same equipment it uses in its presently operated service, thereby reducing operating costs and conserving equipment, which is desirable and essential at all times, and especially during the current Emergency.

Balance Sheet of Rio Grande Motor Way, Inc., which was admitted in evidence as Exhibit 2, shows gross assets of $1,185,485.74.

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

While a number of years ago, some "leap frog operations" were authorized, in recent years, the Commission has been reluctant to authorize such operations, but in view of the fact that the only common carriers serving the territory in question who will be affected by this Order are the transferor and transferee, and The Denver and Rio Grande Western Railroad Company, Motor Way being a subsidiary of said railroad, we believe the application should be granted. Definitely, the proposed change in service in the territory serves public convenience and necessity, and is in the public interest. Moreover, it should bring substantial benefits to the companies involved.

Therefore, after careful consideration of the record, the Commission is of the opinion, and finds, that the authority sought should be granted.

O R D E R

IT IS ORDERED:

That public convenience and necessity require:

(a) That Southwestern Transportation Company, a corporation, be, and it hereby is, authorized to transfer to Rio Grande Motor Way, Inc., out of its common carrier operating rights granted in the several applications mentioned in the Statement preceeding, the right to transport property in intrastate commerce as a common carrier by motor vehicle between Denver, Colorado Springs, Pueblo, Portland, Florence and Canon City on the one hand, and Salida, Colorado, and points intermediate between Canon City and Salida, Colorado, on the other hand, together with a ten-mile radius of Salida, Colorado, for pick-up and delivery, and also the transportation, not on schedule, of farm products, including vegetables, livestock, fish, household goods, mining and milling machinery, farm supplies, stone and timber from point to point within a radius of thirty-five miles of Salida (excluding from said territory that portion lying west of the Continental

Divide), and to and from point in said area, from and to points outside thereof, excluding service between points now served by scheduled common carriers, and the 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;

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

(b) That such operating rights, and the service to be furnished thereunder by Rio Grande Motor Way, Inc., (except as to call and demand service within a radius of thirty-five miles of Salida), shall be consolidated with and operated as an integral part of the transportation service now rendered by said Rio Grande Motor Way, Inc. pursuant to the certificates of public convenience and necessity heretofore issued by this Commission to said Rio Grande Motor Way, Inc.

(c) That hereafter, under its said certificates which, from time to time, have been granted by the Commission, the Southwestern Transportation Company, a corporation, shall be limited to the transportation of property as a common carrier by motor vehicle in intrastate commerce between Denver, Colorado Springs and Pueblo on the one hand, and Portland, Concrete, Penrose, Florence, Canon City, Royal Gorge, Chandler, Rockvale, Coal Creek, Kenwood and Wetmore, Colorado, and points intermediate thereto, on the other hand, and also between Canon City, Florence, Penrose, Concrete, Portland, Chandler, Rockvale, Coal Creek, Royal Gorge, South Field and Wetmore and points intermediate to said points, on the one hand and Victor and Cripple Creek and the mines and mining communities located in the Cripple Creek mining districts on the other hand, together with the transportation of freight in call and demand service from point to point within the City of Canon City and between points within a radius of thirty-five miles thereof and between points within said radius and other points within the State of Colorado, subject to the condition that in the transportation of commodities other than household goods between points served by scheduled carriers, Southwestern Transportation Company shall charge rates at least

20% in excess of rates charged by schedule carriers, and that no operation shall be rendered on schedule and no agency shall be established for the handling of call and demand business in any town except Canon City;

(d) That all said operating rights of Southwestern Transportation Company shall be consolidated in one certificate, and hereafter shall be operated as one integrated service under PUC No. 268.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

I T D Thorman

Mac Smith

Commissioners

Dated at Denver, Colorado,
this 30th day of March, 1944.

mw

(Decision No. 22127)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

IN THE MATTER OF THE APPLICATION OF MARTIN MIKELSON AND CHARLES SHEAFFER, LITTLETON, COLORADO, FOR AUTHORITY TO TRANSFER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 267 TO WALTER ADAMS, ROUTE 1, MORRISON, COLORADO, THE SAME TO BE CONSOLIDATED WITH CERTIFICATE NO. 328.	)	APPLICATIONS NOS. 922-AAA-AAA-A 981-AAA-AA 1412-AAA-AA

April 3, 1944

Appearances: Walter Adams, Morrison, Colorado, for applicants.

S T A T E M E N T

By the Commission:

Heretofore, certificate of public convenience and necessity No. 506 vested in Charles Peterson the right to transport milk and cream from certain territory in the Littleton area. Thereafter, by authority of the Commission (Decision No. 11180), the said Peterson transferred a portion of said certificate to Martin Mikelson and Charles Sheaffer, doing business as Littleton Truck Line.

The instant application seeks to transfer this portion from the said Littleton Truck Line to Walter Adams.

The evidence disclosed that the consideration for said transfer, including one 1938 Dodge truck, is the sum of $3,500.00.

Transferee is an old established milk hauler and has the necessary equipment and experience to handle this additional territory.

No obligations exist against the operations under said certificate by transferor.

The actual portion of PUC No. 267 being transferred in the instant application covers the following territory:

"Beginning at the NE corner, Sec. 31. T. 4 S., Range 67 W.; thence south 13 miles to the SE corner of Sec. 31, T. 6 S., R. 67 West; thence west 11 miles to the SW corner of Sec. 33, T. 6 S., R. 69 West; thence north 9 miles to the NW corner of Sec. 21, T. 5 S., R. 69 West; thence east along Bowles Avenue approximately 5 miles to the right-of-way of the South Park narrow gauge railroad; thence north and east along the right-of-way of said railroad to the northwest corner of the northeast 1/4 of Sec. 33, T. 4 S., R. 68 W.; thence east 4½ miles to the point of beginning; provided that Sec. 36, T. 4 S., R. 68 W. and Secs. 1, 12 and that part of Sec. 13 lying north of the High Line Canal in T. 5 S., R. 68 W., and Sec. 31, T. 4 S., R. 67 W. and Secs. 6, 7, and that part of 18 lying north of the High Line Canal in T. 5 S., R. 67 West., all of which particular sections lie immediately south of the City Limits of Denver and between South University Boulevard and South Colorado Boulevard, which described sections the transferor reserves to himself, personally, the right to serve milk producers residing in these sections, along with the transferees, in accordance with the stipulation."

Transferee seeks authority to combine this operation with his present Certificate No. 328.

No objections were interposed to the granting of the authority sought.

After careful consideration of the record, the Commission is of the opinion, and so finds, that said transfer should be authorized.

O R D E R

IT IS ORDERED:

That Martin Mikelson and Charles Sheaffer, doing business as Littleton Truck Line, be, and they are hereby, authorized to transfer all of their right, title and interest in and to Certificate No. 267 to Walter Adams, of Morrison, Colorado.

IT IS FURTHER ORDERED, That the said Walter Adams may combine his operations under said certificate with his present operations under Certificate No. 328.

The tariff of rates, rules and regulations of the transferors herein shall become and remain those of the transferee until changed

according to law and the rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 3rd day of April, 1944.

BH

(Decision No. 22128)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF RAILWAY EXPRESS AGENCY, INCORPORATED, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF COMMON CARRIER MOTOR TRUCK SERVICE OVER PUBLIC HIGHWAYS WITHIN VARIOUS AREAS IN THE STATE OF COLORADO.	)	APPLICATION NO. 5901-B

March 31, 1944

Appearances: W. W. Grant, Esq., Denver, Colorado, for applicant;
A. J. Fregeau, Denver, for Weicker Transfer & Storage Company;
T. A. White, Esq., Denver, Colorado, for The Denver & Rio Grande Western Railroad Company and Rio Grande Motor Way, Inc.;
Marion F. Jones, Esq., Denver, Colorado, for South Park Transportation Company, Capron Truck Company, Resler Truck Line, Yuma County Transportation Company;
Truman A. Stockton, Jr., Esq., Denver, Colorado, for Common Carrier's Division of the Colorado Motor Carriers' Association;
Arthur A. Brooks, Esq., Denver, Colorado, for Colorado Transfer and Warehousemen's Association;
Harold Swena, Golden, Colorado, for Swena Transfer;
E. J. Trenberth, Idaho Springs, Colorado, for Curnow Livery & Transfer;
E. B. Evans, Esq., Denver, Colorado, for the Commission;
Charles Young, Young Brothers Transfer & Storage Company, 1614 Wynkoop St., Denver, Colorado;
Bekin's Moving & Storage Company, 1411 Arapahoe Street, Denver, Colorado;
Duffy Storage & Moving Company, 1621 20th Street, Denver, Colorado.

S T A T E M E N T

By the Commission:

On February 10, 1936, in Case No. 1613, this Commission, on its own motion, by Decision No. 7177, ordered the Railway Express Agency, Inc., to show cause why an order should not be entered requiring it to cease

and desist from operating as a motor vehicle carrier as defined by Chapter 134, Session Laws of Colorado, 1927, as amended, until it had obtained a certificate of public convenience and necessity authorizing it to accept, transport, and discharge freight and express for the general public as a common carrier from point to point within the various municipal corporations of this State, and to and from points adjacent thereto.

Answer was filed by the Agency, and on March 16, 1936, a hearing was held. Thereafter, briefs were filed, and the matter was set for oral argument for August 4, 1936. Thereafter, the Agency represented that a proceeding was then pending before the Interstate Commerce Commission to determine the status of the Agency under the Interstate Commerce Act. The order setting for oral argument was vacated and the case was not reset.

On December 27, 1939, the Interstate Commerce Commission issued its Decision in No. M.C. 66562, Railway Express Agency, Inc., Determination of Status, 21 M.C.C. 161.

On April 27, 1942, the Railway Express Agency, Inc., filed its Application No. 5901, wherein it requested the issuance of a certificate of public convenience and necessity authorizing the operation of over-the-road truck service for transportation of express matter in its custody between Colorado Springs and Camp Carson, Colorado. On June 11, 1942, by Decision No. 19025, this Commission issued a certificate of public convenience and necessity to the applicant to conduct a motor vehicle carrier service, not on schedule, between Colorado Springs and Camp Carson, Colorado, over State Highway 115, for the transportation, in intrastate and interstate commerce, of "express matter." Thereafter, the applicant commenced motor vehicle operations under said certificate.

On December 31, 1942, the applicant filed this application No. 5901-B, wherein the applicant requested the issuance of a certificate of public convehience and necessity authorizing the operation of motor vehicle service for the transportation of shipments in its custody over the public highways of the State.

In Application 5901-B, the applicant described the territory in which it desired to conduct said motor vehicle operation as being "the territory described in its applicable tariff schedules on file with the Commission, being applicant's Colorado P.U.C. No. 3, 11th revision thereof, and supplements and amendments thereto."

Protests were filed by various interested carriers, and the application was set for hearing on February 26, 1943.

The applicant is a corporation organized under the laws of the State of Delaware. It is qualified to do business in the State of Colorado. Its stockholders consist of numerous railroad companies.

Exhibit 1 is a copy of the applicant's Colorado Section Joint Directory of Collection and Delivery Limits at Express Stations on file with this Commission and described as Colo. P.U.C. No. 3, Colorado Section-11th Revision, effective August 1, 1941, and Supplement No. 4 thereof, on file with this Commission, effective July 1, 1942. Therein, it appears that the applicant performs a collection and delivery service in the following cities and towns in the State of Colorado: Alamosa, Aspen, Aurora, Black Hawk, Boulder, Brighton, Broadmoor, Brush, Buena Vista, Burlington, Canon City, Carbondale, Central City, Colorado City, Colorado Springs, Craig, Crested Butte, Del Norte, Delta, Denver, Durango, Eaton, Englewood, Florence, Fort Collins Fort Lupton, Fort Morgan, Glenwood Springs, Golden, Grand Junction, Greeley, Gunnison, Holly, Hugo, Idaho Springs, Ivywild, Julesburg, La Junta, Las Animas, Leadville, Limon, Littleton, Longmont, Loveland, Manitou, Minnequa, Monte Vista, Montrose, Ordway, Ouray, Pueblo, Rifle, Rocky Ford, Salida, Springfield, Steamboat Springs, Sterling, Stratton Park, Telluride, Trinidad, Walsenburg, Wray, and Yuma. At those stations, the evidence shows that collection and delivery service is limited to express shipments where there has been a prior, or will be a subsequent, rail or air movement. Approximately 80 per cent of the business thus performed by the applicant is in interstate commerce and 20 per cent in intrastate commerce. This collection and delivery, or, as it is more frequently called, "pick-up and delivery" service, commenced when express companies first started business in this country, and applicant and its predecessors have continued to render

that service in connection with express shipments during that time. The limits, within which such service is performed, are changed by applicant only upon compliance with Section 17, Chapter 137, 1935 Colorado Statutes Annotated.

At twenty-one of the above points, the applicant maintains its own motor vehicle equipment, and at some of the points it employs local carriers to perform this pick-up and delivery service.

The tariff known as Colorado P.U.C. No. 3 defines the territory within which the applicant performs this pick-up and delivery service as a part of its regular express business and for which the applicant does not receive compensation other than that received by it for the transportation from point of origin to point of destination. This service is an integral part of the transportation service rendered by applicant.

The evidence also shows that at Denver, Durango, Lamar, Leadville, Pueblo, Rocky Ford, Salida, and Trinidad, applicant transports parcels from point to point within the terminal limits of those stations, as delineated in Colo. P.U.C. No. 3; Colo. P.U.C. No. 63, on file with this Commission, effective February 25, 1938, contains the rates which applicant charges for performing this local pick-up and delivery service.

In the cities of Denver, Rocky Ford, Colorado Springs, Pueblo, Trinidad, and Englewood, the applicant performs pick-up and delivery service of freight for various railroad companies. The terminal limits within which such pick-up and delivery service for railroad companies is performed are defined in the tariffs of the various railroad companies and not in applicant's Colo. P.U.C. No. 3. However, generally speaking, the limits within which the railroad companies agree to perform such service are of less extent than the limits within which the applicant performs pick-up and delivery service in connection with shipments moving on its bills of lading or express receipts. The form of contract between the applicant and the railroad companies (its stockholders) availing themselves of the service of applicant was introduced in evidence.

The superintendent of the applicant testified that the service rendered by the applicant, and for which a certificate is herein sought, had been performed by applicant for a number of years at the places mentioned in the tariffs heretofore described. He further testified that there was a demand for that service and that the rendering of such service was for the convenience of the public generally. The decision of the Interstate Commerce Commission heretofore mentioned was made a part of the record. Therein the Interstate Commerce Commission made the following findings of fact:

> "Upon the facts of record and in the light of the foregoing discussion, we find:
>
> "1. That motor-vehicle operations in interstate or foreign commerce by or in behalf of the Agency or any of its subsidiaries in pick-up or delivery or transfer service within terminal areas, which operations are associated with prior or subsequent express service by railroad or partly by railroad and partly by water and for which no charge is made in addition to that applicable to such prior or subsequent express service, are subject to the provisions of Part I of the Interstate Commerce Act, and are not subject to the provisions of Part II; and that authority for such operations is not required from us.
>
> "2. That motor-vehicle operations in interstate or foreign commerce of the Agency or any of its subsidiaries in transportation which is incidental to transportation by aircraft are not subject to the provisions of Part II of the Interstate Commerce Act, except the provisions of section 204 relative to qualifications and maximum hours of service of employees and safety of operation or standards of equipment; and that authority for such operations is not required from us.
>
> "3. That motor-vehicle operations in interstate or foreign commerce of the Agency or any of its subsidiaries in the performance for carriers by railroad of pick-up and delivery or transfer service within terminal areas are subject to the provisions of Part I of the Interstate Commerce Act and are not subject to the provisions of Part II; and that authority for such operations is not required from us.
>
> "4. That other motor-vehicle operations in interstate or foreign commerce of the Agency or any of its subsidiaries for carriers by railroad, not specified in finding 3, are subject to the provisions of part II of the Interstate Commerce Act; and that authority for such operations is required from us, such authority to go to the carrier by railroad or to the Agency or its subsidiary as the facts may warrant upon the application of the principles determined in Dixie Ohio Exp. Co. Common Carrier Application, supra.
>
> "5. That all other motor-vehicle operations in interstate or foreign commerce of the Agency, or any of its subsidiaries, which are not covered by the above findings and which involve transportation not exempt under section 203 (b) (8) of part II of the Interstate Commerce Act, are subject to the provisions of said part; and that authority for such operations is required from us.

"6. That where motor carriers in their own right perform service for the Agency or any of its subsidiaries, such motor-vehicle operations are not those of the Agency or its subsidiary within the meaning of section 203 (a) (14) of part II of the Interstate Commerce Act.

"7. That where motor-vehicle operations are performed by use of vehicles belonging to other persons, such operations are those of the Agency or its subsidiary as are those of others, within the meaning of section 203 (a) (14) of part II of the Interstate Commerce Act, as the facts in each instance may warrant upon application of the principles determined in Dixie Ohio Exp. Co. Common Carrier Application, supra."

So far as the proceeding is concerned, the motor-vehicle operations mentioned in paragraphs 1, 2, 3 and 4 are all that are involved here. Those operations may be specifically described as follows:

1. Pick-up and delivery of express shipments involving a prior or subsequent rail or air movement on Railway Express Agency billing in the territory described in Colo. PUC No. 3, 11th Revision and amendments, and including airports at the points mentioned, if there are airports at those points.

2. Pick-up and delivery service from point to point within terminal limits but which does not involved a prior or subsequent rail movement.

3. Pick-up and delivery service performed by the applicant for railroad companies under contract with such railroad companies within the terminal limits hereafter described.

At the hearing the parties protestant waived any objection to the granting of the application insofar as the operation in paragraph 1 was concerned.

To the operations described in paragraphs 2 and 3, the parties protestant waived objection if the applicants operation is restricted to the following territory:

Colorado Springs and Manitou and points within a five-mile radius from the city limits of Colorado Springs;

Denver, five-mile radius from the city limits, and Buckley Field;

Durango, corporate limits;

Lamar, corporate limits, and the Frink Creamery, Lamar Milling and Elevator Company and Lamar Light and Power Company;

Leadville, corporate limits and the following additional territory beyond the corporate limits: From intersection of corporate limits and East 5th Street south to East 3rd Street, west on East 3rd Street to corporate limits; from intersection of Spruce Street and corporate limits at West 11th Street; north on Spruce Street to 15th Street; east on 15th Street to Alder Street; south on Alder Street to corporate limits at East 12th Street;

Pueblo, corporate limits and contiguous communities and industries, and the airport;

Rocky Ford, corporate limits;

Salida, corporate limits;

Trinidad, corporate limits and one mile radius from city limits.

The applicant is a common carrier, and is expressly included within the definition set out in the Public Utilities Act, Section 2, Chapter 137, 1935 C.S.A. The operations which the applicant has been rendering and for which it now desires a certificate of public convenience and necessity is conducted by motor vehicle. A "motor vehicle carrier" is defined in the Act regulating such motor vehicle carriers as follows:

> "The term 'motor vehicle carrier,' when used in this act, means and includes every corporation, person, firm, association of persons, lessee, trustee, receiver or trustee appointed by any court whatsoever, owning, controlling, operating or managing any motor vehicle used in serving the public in the business of the transportation of persons or property for compensation as a common carrier over any public highway between fixed points or over established routes, or otherwise, whether such business or transportation is engaged in or transacted by contract, or otherwise." (Sec. 300 (d), Ch. 16, 1935 C.S.A.)

By Section 300 (f), a public highway is defined. That section reads:

"the term 'public highway' when used in this act means every road or highway over which the public generally has a right to travel." (Sec. 300 (f), Ch. 16, 1935 C.S.A.)

By Section 301, Chapter 16, 1935 C.S.A., all motor vehicle carriers are declared to be public utilities within the meaning of the Public Utilities Act. In various sections of the Motor Vehicle Carrier Act, the clear implication is found that a motor vehicle carrier transporting express is subject to that Act as well as the Public Utilities Act. By Section 308, Chapter 16, 1935 C.S.A., the Act is made applicable to all motor vehicles, whether domiciled in this State or not. This Commission has jurisdiction over all motor vehicle carriers operating over the highways of the State, outside of the limits of Home Rule cities, whether such motor vehicle carriers are engaged in interstate commerce or intrastate commerce, or both. Even though a motor vehicle carrier may be performing a service which is a part of a prior or subsequent transportation by rail or air, still, if such motor vehicle carrier operates over the highways of this State as defined in Section 300 (f), then such motor vehicle carrier is subject to the jurisidction of this Commission and must obtain a certificate of public convenience and necessity from this Commission authorizing such operations.

The Commission therefore finds that it has jurisdiction in the premises and that a certificate of public convenience and necessity should be issued to the applicant authorizing the operations hereinbefore described.

O R D E R

IT IS ORDERED:

That the public convenience and necessity require the motor vehicle transportation service, not on schedule, of the Railway Express Agency, Inc., a Corporation, for:

1. Pick-up and delivery in intrastate and interstate commerce of express shipments involving a prior or subsequent rail or air movement on Railway Express Agency, Inc., billing, in the territory described in its tariff, Colo. PUC No. 3, 11th revision, and amendments thereto, including airports at the points mentioned therein if and when there are airports at such points.

2. Pick-up and delivery in intrastate commerce of freight or express which does not involve a prior or subsequent rail or air movement within the terminal limits of:

Colorado Springs and five-mile radius from the city limits and to include Manitou.

Denver and five-mile radius from the city limits and to include Buckley Field.

Durango, corporate limits.

Lamar, corporate limits, and the Frink Creamery, Lamar Milling and Elevator Company, and Lamar Light and Power Company;

Leadville, corporate limits, and the following additional territory beyond the corporate limits: From intersection of corporate limits and East 5th Street south to East 3rd Street; west on East 3rd Street to corporate limits; from intersection of Spruce Street and corporate limits at West 11th Street; north on Spruce Street to 15th Street; east on 15th Street to Alder Street; south on Alder Street to corporate limits at East 12th Street.

Pueblo, corporate limits and contiguous communities and industries, and the airport.

Rocky Ford, corporate limits.

Salida, corporate limits.

Trinidad, corporate limits and one mile radius from city limits.

3. Pick-up and delivery of freight which involves a prior or subsequent shipment by rail in intrastate and interstate commerce for railroad companies within the terminal limits of the towns and cities as extended and described in paragraph numbered "2" immediately preceding.

That this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

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

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

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 days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 31st day of March, 1944

JH

(Decision No. 22129)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

IN THE MATTER OF THE APPLICATION OF PHAY PAUL, YODER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE FOR THE TRANSPORTATION OF GRAIN AND FARM PRODUCE FROM POINT TO POINT WITHIN A RADIUS OF 30 MILES OF YODER TO COLORADO SPRINGS AND PUEBLO: LIVESTOCK FROM THE SAME AREA TO SALES RINGS IN PUEBLO, COLORADO SPRINGS AND DENVER, COLORADO.	APPLICATION NO. 6547-PP

April 1, 1944.

Appearances: Fillmore S. Gibson, Esq., Mining Exchange Building, Colorado Springs, Colorado, for applicant;
T. A. Stockton, Jr., Esq., Denver, Colorado, for Barnhill Truck Line, John Williams and Dennis Burroughs.

S T A T E M E N T

By the Commission:

On February 15, 1944, at Colorado Springs, Colorado, the above-styled matter was heard.

Prior to the hearing, Truman Stockton, Jr., Esq., informed the Commission that he probably would be unable to be present on account of the fact that he had been notified to appear for examination under the Selective Service Act, and asked that the matter be continued for further hearing if he were not present. He was informed that that would be done. However, that arrangement was not made known to the Commissioner who heard the application and was not called to the attention of those present at the hearing. Subsequently, on February 29, 1944, Mr. Stockton asked the Commission to set the

matter for further hearing.

After careful consideration of the record, the Commission is of the opinion, and finds, that said request should be granted.

O R D E R

IT IS ORDERED:

That the above-styled matter be, and the same hereby is, set for further hearing at Colorado Springs, Colorado, on April 12, 1944, at 11:00 o'clock A. M., at the City Hall.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

I D Thomas

Walter Erickson

Commissioners

Dated at Denver, Colorado,
this 1st day of April, 1944