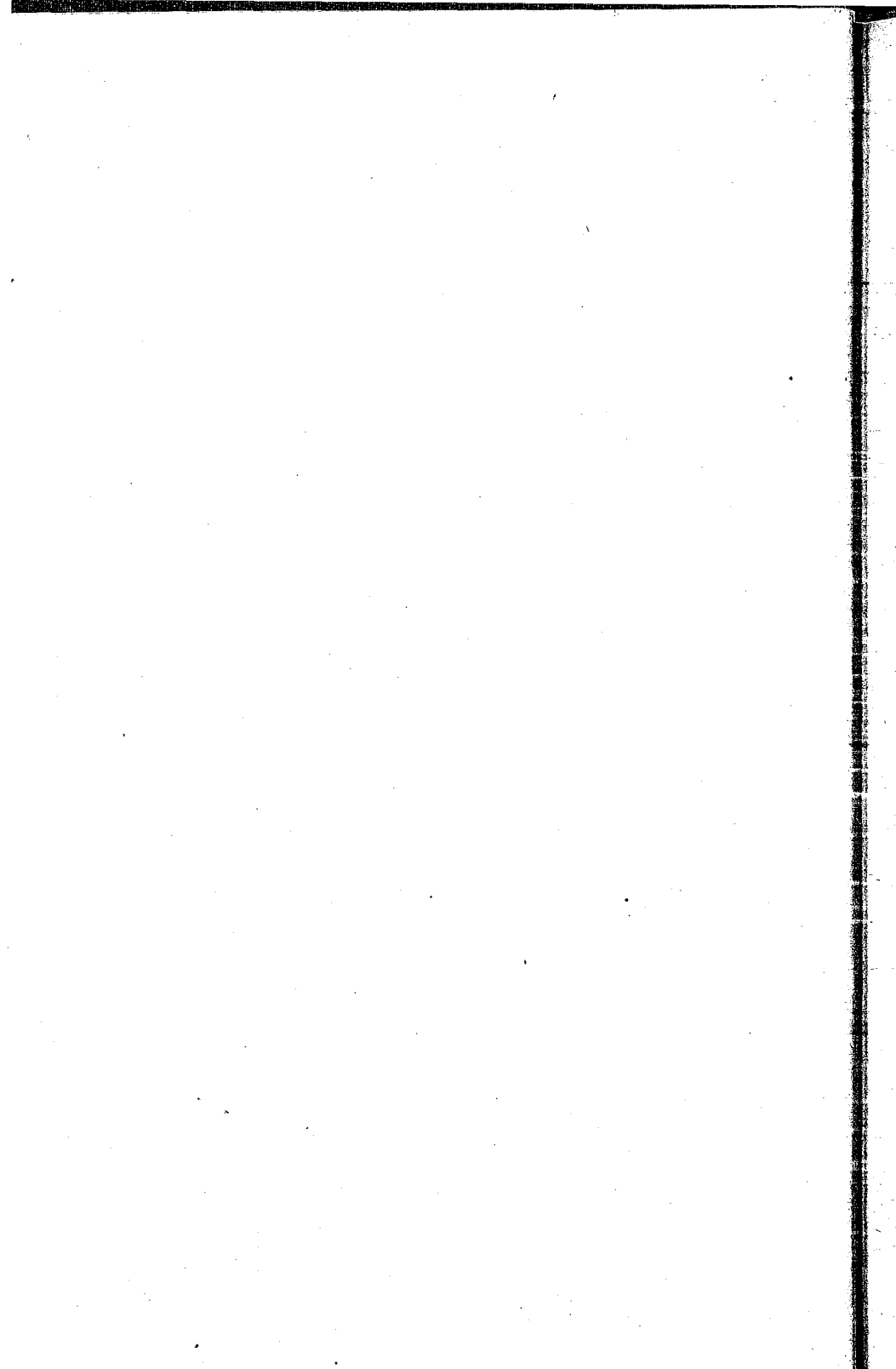


Report of the
**PUBLIC SERVICE
COMMISSION**
OF UTAH

To the Governor



*For the Period July 1, 1934
to June 30, 1935*



PUBLIC UTILITIES COMMISSION

COMMISSIONERS

July 1, 1934 to May 13, 1935

ELMER E. CORFMAN, Chairman

THOMAS E. McKAY

THOMAS H. HUMPHERYS

FRANK L. OSTLER, Secretary

PUBLIC SERVICE COMMISSION

COMMISSIONERS

May 14, 1935 to June 30, 1935

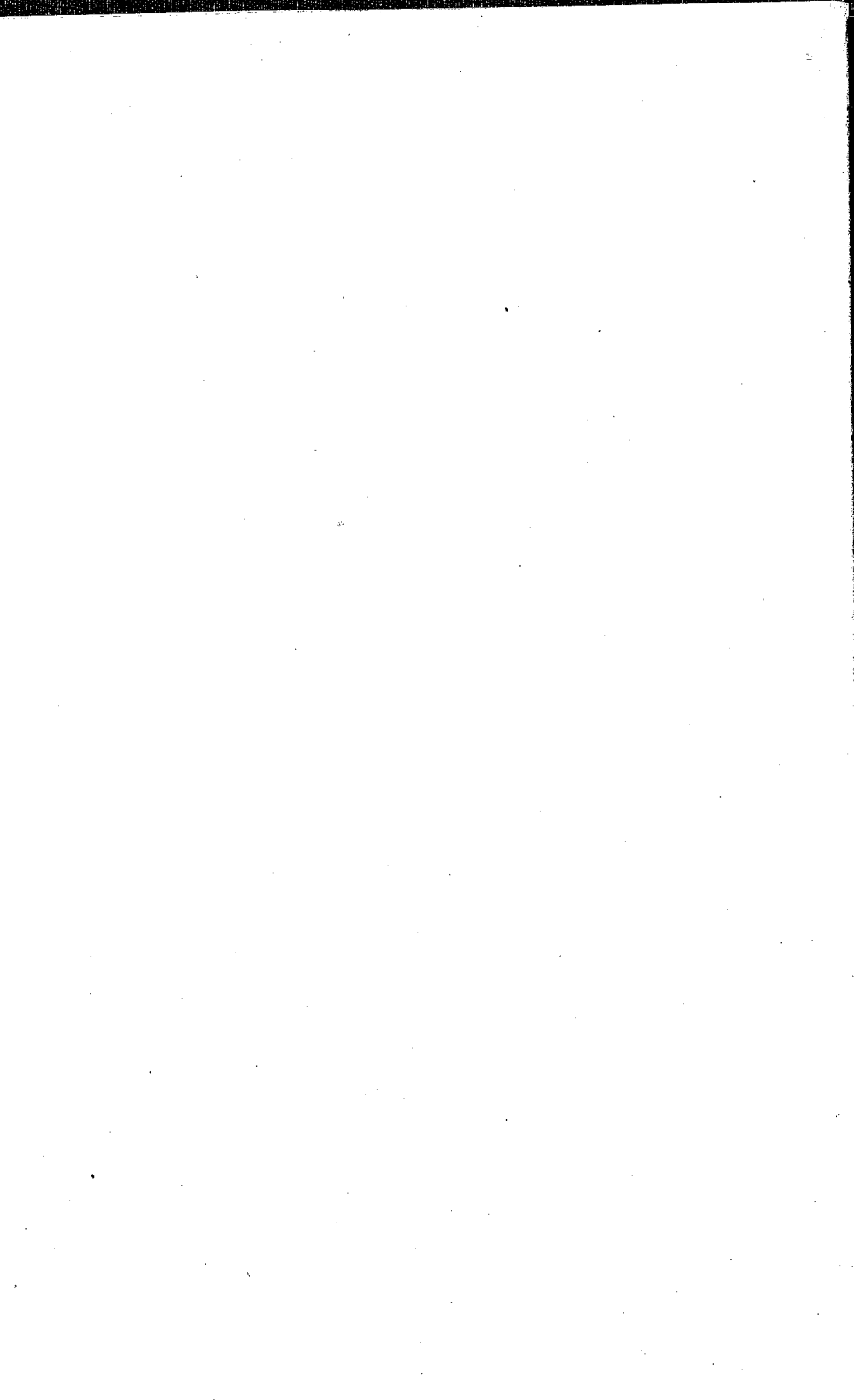
ELMER E. CORFMAN, President

THOMAS E. McKAY

JOSEPH S. SNOW

THEODORE E. THAIN, Acting Secretary

Office: State Capitol, Salt Lake City, Utah



To His Excellency, HENRY H. BLOOD,
Governor of the State of Utah.

Sir:

The Public Service Commission of Utah herewith submits its seventeenth annual report covering the activities and work of the department for the fiscal year July 1, 1934 to June 30, 1935. This report is submitted in compliance with the provisions of 76-1-11, Revised Statutes of Utah, 1933, rendition of same having been delayed by reason of the press of business on the Commission.

Your attention is respectfully directed to the fact that in this report the Commission has discontinued the practice of including complete reports and orders in all of the formal cases. The plan of presenting a brief summary of a majority of the cases has been adopted, which has been done largely in the interest of economy.

The Commission has not included herein any recommendations it may have to the legislature for revisions or changes in existing public utility laws. Recommendations of this nature will be included in the Report of the Commission for the fiscal year ending June 30, 1936. A summary of the rate reductions effected since July 1, 1934 will also be included in the same report.

Respectfully submitted,

(Signed) E. E. COREMAN,

THOMAS E. MCKAY,

JOS. S. SNOW,

Commissioners.

(Signed) THEODORE E. THAIN,

Acting Secretary.

FORMAL CASES BEFORE THE COMMISSION

The formal cases before the Commission during the fiscal year ended June 30, 1935 are summarized in the following table according to the various types of cases:

Type of Cases	Number Cases Pending July 1, 1934	Cases Filed July 1, 1934 to June 30, 1935	Total Number Cases	Cases Disposed of	Number Cases Pending June 30, 1935
Elec. Power & Light Rates	1	1	2	1	1
Telephone Rates	1		1		1
Railroad Rates	4	4	8	3	5
Water Rates	2		2	1	1
Grade Crossings	4	10	14	6	8
Discontinue Station Ag'cy	2	4	6	5	1
Street Car Service	1	7	8	3	5
Certificate to Construct Railroad	1		1		1
Motor Transport	27	166	193	111	82
Miscellaneous Cases		3	3	2	1
TOTALS	43	195	238	132	106

It will be observed from the preceding table that the Commission had before it 238 cases for determination during the fiscal year ended June 30, 1935. Of this number 132 were disposed of during the period. In each case of this nature a formal hearing must be held and a record developed from which findings can be made by the Commission and a decision reached.

While the number of formal cases handled during this period is not as large as in the previous fiscal year, the number is far greater than in years prior to 1933. Applications received from common and contract motor carriers account for a large percentage of the total number of cases handled. Every effort

has been made to handle and dispose of the formal cases with the least delay possible in view of attending circumstances, in each case.

Below is a brief review of certain cases which the Commission considers of importance to the people of this state, and to which especial attention is invited.

FREIGHT RATES

CASE NO. 1255. "In the Matter of the Application of the Denver and Rio Grande Western Railroad Company for permission to increase certain rates on livestock in Utah." In the original proceeding in this matter the Commission denied the application of The Denver and Rio Grande Western Railroad Company. Subsequently, the applicant filed a thirteenth section application with the Interstate Commerce Commission (I. C. C. Docket No. 26590). The latter named Commission in its opinion dated February 4, 1935 found "that the present rates for the intrastate transportation of livestock, in carloads, in Utah have not been shown to have caused or to cause any undue preference or prejudice as between persons or localities in intrastate commerce on the one hand and interstate commerce on the other hand or any unjust discrimination against interstate commerce," and the proceeding was discontinued.

CASE NO. 1573. "Utah Citizens Rate Association, Complainant, vs. Bamberger Electric Railroad Company, et al., Defendants." This case involves an investigation of intrastate coal rates in Utah. The complainants contend for reduced rates on movements of coal between points within the State of Utah. At the closing date of this report the hearings in this matter were concluded and briefs filed, but the Commission's opinion had not been rendered.

CASE NO. 1658. "In the Matter of Increases in Freight Rates and Charges." In this proceeding, Class I steam railroads operating in Utah petitioned this Commission for authority to increase freight rates and charges on intrastate traffic in Utah comparable to the emergency increases authorized by the Interstate Commerce Commission on interstate traffic in Ex Parte 115, Emergency Freight Charges, 1935, 208 I. C. C. 4. The electric lines operating in Utah joined in the application. The emergency charges on interstate traffic became effective on April 18, 1935.

A hearing was held and evidence submitted in this case on May 2, 1935. The case was pending at the closing date of this report.

ELECTRIC LIGHT AND POWER RATES

CASE NO. 1531. "Public Service Commission of Utah, Complainant, vs. Utah Power & Light Company, Defendant." This case involves an investigation of the rate and capital structure of the defendant company. The action was brought by the Commission on its own motion. The Commission ordered the Utah Power & Light Company to make an inventory and appraisal of its properties in order that the Commission might determine a proper rate base for said company. At the closing date of this report, the inventory and appraisal had not been completed. No hearings will be conducted in this matter until the inventory and appraisal has been completed and filed with the Commission.

TELEPHONE RATES

CASE NO. 1479. "Public Service Commission of Utah, Complainant, vs. The Mountain States Telephone & Telegraph Company, Defendant." This case was discussed in a previous report. The investigation is taking more time than anticipated, but is progressing quite satisfactorily. The Commission is striving to bring the case to an early conclusion.

OTHER FORMAL CASES

Brief mention is made of certain other formal cases which were before the Commission for determination during the fiscal year ended June 30, 1935. As shown in the foregoing table, there was a total of 193 applications under the provisions of Chapter 53, Laws of Utah, 1933 from common and contract motor carriers. These cases included applications for authority to operate in intrastate and interstate commerce over the highways of this State.

Included in this group were 79 applications from Star Route mail carriers. Acting under a ruling by the Attorney General to the effect that this class of carriers was subject to the provisions of the motor transport act, the Commission required such carriers to make proper application for authority to use the highways of the State as carriers of mail for hire. These carriers, for the most part, found it difficult to purchase

the insurance required by law, and otherwise comply with the provisions of the statute, by reason of the small remuneration received from the transportation of mail under their respective contracts. The Commission did not, therefore, press these carriers for compliance with the requirements of the law, but anticipated that the next session of the legislature would exempt mail carriers from compliance with the laws pertaining to motor vehicles operating for hire. At the closing date of this report 54 of these cases were pending.

PARTICIPATION IN I. C. C. CASES

In matters before the Interstate Commerce Commission where Utah interests were involved this Commission participated insofar as it could. The principal dockets thus participated in are reviewed briefly below.

FINANCE DOCKET NO. 9791. After having been denied authority by the Interstate Commerce Commission to abandon the operation of a part of its Promontory Branch in Box Elder County, the Southern Pacific Company applied to the same Commission for rehearing and reconsideration in the matter. The Federal Commission requested this Commission to conduct a further hearing and take additional testimony in the matter, which was done on March 25, 1935. The record and testimony of the rehearing was transmitted to the Federal Commission with the recommendation that the application be denied. At the closing date of this report, the Interstate Commerce Commission had not rendered its decision in this case.

FINANCE DOCKET NO. 9422. This docket involved the so-called unification plan of the Union Pacific System whereby the Union Pacific Railroad Company sought authority to lease the railroads and properties of the Oregon Short Line Railroad Company, Oregon-Washington Railroad & Navigation Company, Los Angeles & Salt Lake Railroad Company, and St. Joseph & Grand Island Railway Company. Under the proposed plan, the accounting offices of the Union Pacific System located in Utah were to be removed to Omaha, Nebraska. This Commission entered a plea in intervention alleging it had an interest in the matter by reason of the effect the proposed unification would have on the Utah employees of the system and the people of the State generally. An agreement was reached between the Union Pacific System and its employees with respect to the uni-

fication plan, whereupon this Commission did not further press its opposition to the plan. Subsequent to the closing date of this report the Interstate Commerce Commission rendered its report granting the application of the Union Pacific Railroad Company.

DOCKETS NOS. 26,720 AND 26,720, SUB. 1. "W. H. Bintz Company, et al. vs. Abilene & Southern Railway Company, et al." and "Utah Citizens Rate Association, et al. vs. Union Pacific Railroad Company, et al." These complaints, filed with the Interstate Commerce Commission on October 1, 1934 and December 12, 1934, respectively, attacked the all-rail, ocean-rail, and rail-ocean-rail class rates from Atlantic Seaboard Territory to Salt Lake City and Ogden, Utah as being unreasonable and in violation of Section 1 of the Interstate Commerce Act, and also sought reparation with interest for shippers complainants to the proceedings. A hearing was held in Salt Lake City in March, 1935 at which evidence was submitted by and for parties to the two complaints. The Utah Commission intervened on behalf of complainants. At the closing date of this report the proposed report of the examiner for the Federal Commission had not been rendered.

PUBLIC UTILITIES UNDER JURISDICTION OF COMMISSION

The following table shows the classes and number of utilities under the jurisdiction of the Commission at June 30, 1935:

Steam Railroads	14
Electric Railroads	4
Street Railroads	2
Terminal Companies	3
Express Companies	1
Telegraph Companies	2
Sleeping Car Companies	1
Common Motor Carriers—Interstate	50
Common Motor Carriers—Intrastate	49
Contract Motor Carriers (See note)	66
Gas Companies	2
Electric Light and Power Companies	14
Telephone Companies	13
Water Companies	12
Total	233

(Note: The Commission does not consider contract motor carriers to be public utilities as the term "public utility" is defined in 76-2-1(28), Revised Statutes of Utah, 1933. The number of contract carriers are included in the above table as a matter of information.)

The above table includes only privately owned and operated public utilities. The Commission has made no attempt to regulate municipally owned and operated public utilities since the decision of the Supreme Court of Utah in *Logan City vs. Public Utilities Commission of Utah and Utah Power & Light Company*, 72 Utah 536, decided November 24, 1928, wherein the court held this Commission exceeded its authority in prescribing rates to be charged by Logan City for the sale of electrical energy.

Under existing regulatory laws of Utah, the jurisdiction of the Commission extends over the following classes of public utilities: steam railroads, electric railroads, street railroads, motor transport corporations, express corporations, gas corporations, electric light and power corporations, telephone corporations, telegraph corporations, water corporations, heat corporations, and warehousemen. In addition, the law directs that the Commission shall have exclusive jurisdiction over public railroad crossings.

The Commission requires each public utility operating in Utah to file an annual report with the Commission containing financial, operating, and statistical information. From these returns, and other available information, the Commission determines if the utilities are earning in excess of fair rates of return upon fixed capital investments, whether or not proper rates of depreciation are being used, whether or not proper accounting practice is being followed, and other pertinent facts relating to the practices and operations of the utilities.

In this connection mention is made of the fact that considerable assistance is rendered the utilities, particularly the smaller ones, in the way of preparation of reports, and advice concerning proper methods of keeping accounts.

ACCIDENT REPORTS AND INSPECTION SERVICE

The Commission requires the utilities in the State to render reports covering accidents occurring on or in connection with their properties. Immediate telegraphic or telephonic advice is required in cases of serious accidents, to enable the Commission to send an inspector to the scene of the accident to make investigation. In some cases a formal investigation is conducted at which witnesses are interrogated, to determine, if possible, the cause of the accident and on whom the responsibility for

the accident rests. In some cases the Commission makes recommendations in the way of corrective measures to prevent a recurrence of the accident. There is included, for the first time, as appendices to this report, tables showing the number of accidents occurring on carriers by rail and carriers by motor vehicle, and fatalities and injuries sustained by persons as a result of these accidents.

INFORMAL DOCKETS

Sixty-seven informal dockets were before the Commission, all of which were satisfactorily disposed of. The matters covered in these dockets included reparation claims, clearance permits, complaints regarding service or lack of service on the part of utilities, and other matters affecting relations between the utilities and their patrons. In the dockets covering reparation claims, the Commission authorized total refunds or waivers of undercharges of \$2,007.90.

EX PARTE ORDERS

The Commission issued 197 ex parte orders granting special permission to the various carriers and other utilities in the State to publish reduced rates.

GRADE CROSSINGS

Three grade crossing permits and four formal orders relating to crossings were issued by the Commission. The three crossing permits authorized the construction and operation of railroad trackage at grade across public highways, three of the formal orders authorized the abandonment of public crossings at grade, and one formal order authorized the replacement of an existing overhead structure.

CERTIFICATES, PERMITS, AND LICENSES

The Commission issued 19 certificates of convenience and necessity, 22 interstate carrier licenses, and 30 contract carrier permits. Eighteen of the certificates of convenience and necessity authorized common motor carriers to operate in intrastate commerce over specified highways in the State, as carriers of property, passengers, or both. The other certificate of convenience and necessity authorized a power company to exercise the rights and privileges granted by a municipal corporation. The interstate carrier licenses issued authorized motor carriers

to use certain highways of Utah in interstate commerce as carriers of property, passengers, or both. The contract carrier permits issued authorized contract hauling of property in intrastate commerce over specified routes within the State.

TEMPORARY PERMITS

A total of 40,903 temporary permits were issued to motor carriers under the provisions of Section 13, Chapter 53, Laws of Utah, 1933. Each permit authorized a single or round trip between given points. The majority of the permits covered movements of property, although some were issued for passenger transportation. The number of temporary permits thus issued may appear unduly high for the period. The large number of permits issued was due principally to trucking activities in connection with Federal relief projects throughout the State, particularly in the movement of drouth relief cattle and sheep. Several thousand single-trip permits were issued to individual truckers to facilitate the movement of livestock over the highways of the State. The Commission assisted in this respect to the fullest extent in trying to aid during a period of economic stress.

ROAD MAINTENANCE TAX ASSESSMENTS

Road tax assessments for the fiscal year July 1, 1934 to June 30, 1935 totaled \$246,542.09, consisting of \$128,337.62 assessed against passenger transportation, and \$118,204.47 against property transportation. This represents an increase of 25 per cent over assessments for the previous fiscal year. This tax was assessed against common and contract motor carriers operating for hire over the highways of Utah. The rate of assessment for freight transportation was two-thirds of one cent per ton-mile on hard-surfaced roads, and one-fourth of one cent per ton-mile on other roads. For passenger transportation the rates were two and one-half mills per passenger-mile on hard-surfaced roads, and one mill per passenger-mile on other roads.

ROAD TAX AUDITS

The Commission's auditors continued the work of auditing the records of motor transport lines operating in Utah to determine if correct reports had been filed with the Commission for road tax assessment purposes. Eighty-one audits of this

nature were completed during the period. The auditors also checked the shipping records of numerous wholesale houses in the State to obtain additional information on property transportation by motor vehicles.

ORGANIZATION, STAFF, AND FINANCES

Present Form of Commission. From July 1, 1934 to May 13, 1935 the Commission (Public Utilities Commission) consisted of one full-time member, one part-time member, and the State Engineer as ex officio member. By an act of the 1935 regular session of the legislature the name of the Commission was changed to Public Service Commission and the membership increased to three full-time commissioners. The Commission believes the present form is preferable and that the results of regulation will be more satisfactory.

Staff of Commission. The staff of the Commission at June 30, 1935 consisted of the following:

Acting Secretary	1
Accountants	3
Director, Motor transport division	1
Auditors, Motor transport division	4
Inspectors	2
Stenographers	4
Reporter (per diem basis)	1

Finances. During the period covered by this report, the Commission received funds from two separate legislative appropriations with which to perform the regulatory functions required by statute. An appropriation from the general fund was available for general regulatory work. The Commission expended \$16,450.91 from the general fund appropriation in the administration of the general laws applicable to public utilities other than motor transport lines.

In addition to the general fund appropriation, the Commission was authorized to use an amount not exceeding 25 per cent of the sum collected as road tax under the provisions of Chapter 53, Laws of Utah, 1933 (commonly known as the Motor Transport Act) in the administration of the provisions of this act. This law also provided that any part of the 25 per cent appropriated to this Commission not used by this

Commission in the enforcement of the provisions of said act should revert to the state road fund. The Commission expended \$21,733.46 out of this appropriation.

The following figures show the amount collected by the State Tax Commission from the assessments made by this Commission under the ton-mile and passenger-mile provisions of Chapter 53, Laws of Utah, 1933; the amount this Commission legally could have used out of said amount, and a comparison with the amount actually used in the administration of said law:

Total collections by Tax Commission	\$237,059.01
Amount this Commission could have used	
(25%)	59,264.75
Amount actually used (9.17%)	21,733.46
Amount reverted to state road fund	
(15.83%)	37,531.29

Details of appropriations, receipts, and expenditures will be found as an appendix to this report.

COOPERATION WITH DEPARTMENTS OF THE FEDERAL GOVERNMENT

It is the policy of this Commission to cooperate with and assist different departments of the Federal Government in all matters of mutual interest, more especially those problems relating to the interests of the people of Utah. The Commission also has received assistance and cooperation from the same governmental departments. The Interstate Commerce Commission, the Federal Power Commission, and the Federal Communications Commission are the principal administrative bodies of the government with which this Commission has frequent dealings and business.

F. E. R. A. PROJECT

Again the Commission obtained assistance in the way of Federal funds provided through an F. E. R. A. project. An engineer and an accountant were thus made available to the Commission during part of the period covered by this report. These men assisted in the work in two of the major rate investigations. A total of \$1,309.00 was made available to the Commission on this project and a total of 1,176 man-hours were put in by the two employees assigned to the project.

ASSISTANCE FROM COMMITTEE OF NINE AND OTHER ORGANIZATIONS

The "Investigating Committee of Utah Governmental Units," created by resolution passed by the twentieth regular session of the Utah Legislature, rendered valuable assistance to the Commission in the way of engineering and accounting services in connection with major rate investigations before the Commission. This service came at a time when the Commission's funds were so limited as to preclude the employment of a sufficient number of experts to prepare the necessary data and exhibits for introduction as testimony in these investigations. This assistance was thoroughly appreciated by the Commission.

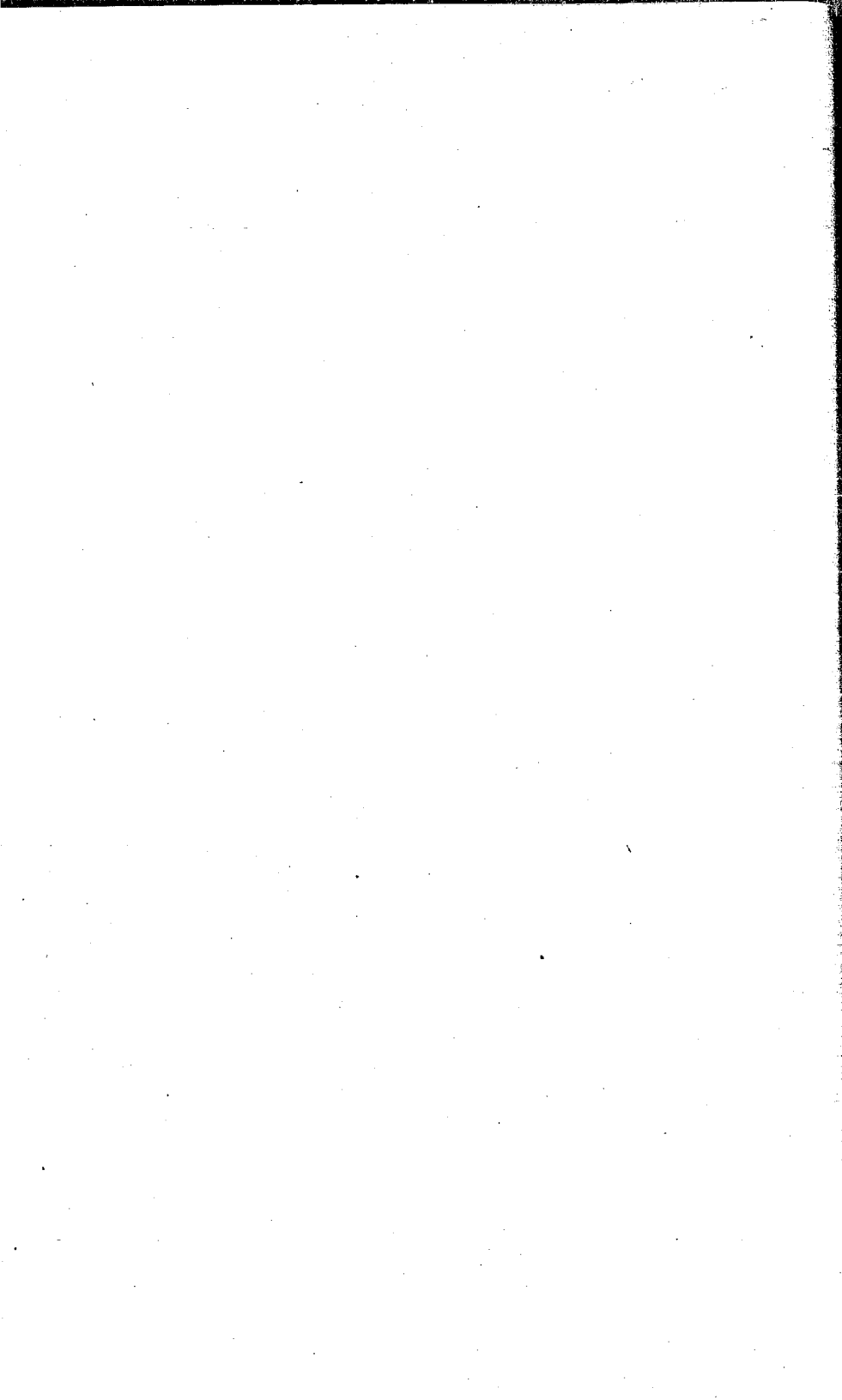
The Attorney General's office also rendered continuous and valuable assistance during this period, especially in connection with pending rate investigations, for which the appreciation of the Commission is expressed. The Commission relies entirely upon the Attorney-General and his assistants for all the legal needs of this department.

The Commission also expresses appreciation to the Utah Citizens Rate Association for assistance rendered in connection with rate matters. At times this Commission has been represented before the Interstate Commerce Commission by this organization in cases dealing with freight rates that affected the interests of the people of Utah.

The Commission also has been represented before Federal Commissions and the Congress of the United States by the Honorable John E. Benton of Washington, D. C., General Solicitor of the National Association of Railroad and Utilities Commissioners.

APPENDIX 1

FORMAL CASES BEFORE THE COMMISSION



BEFORE THE PUBLIC SERVICE COMMISSION
OF UTAH

CASE No. 889

In the Matter of the Application of ERNEST NEILSON and NEPHI NEILSON for permission to operate an automobile stage line between Salt Lake City and Brighton, Utah. (Supplementary application for sole ownership by Nephi Neilson.)

Submitted: March 12, 1935. Decided: March 16, 1935.

Disposition: Supplementary application granted, authorizing Nephi Neilson to continue operation of automobile stage line between Salt Lake City and Brighton for transportation of passengers and express, under authority of Certificate of Convenience and Necessity No. 267.

CASE No. 1151

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH, for permission to abandon a grade crossing over the main line of The Denver and Rio Grande Western Railroad Company near Nolan Station in Price Canyon, Carbon County, Utah.

Submitted: September 6, 1934. Decided: Sept. 24, 1934.

Disposition: Application granted.

CASE No. 1186

In the Matter of the Application of PETTY & LUNT, INC. for permission to operate an automobile freight and express line between Cedar City and Kanab, Utah.

Disposition: Order issued November 24, 1934 cancelling Certificate of Convenience and Necessity No. 371 granted in Case No. 1186 under date of October 21, 1934.

CASE No. 1282

In the matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to construct an overhead crossing over the main line tracks of The Denver and Rio Grande Western Railroad Company near Moark, in Utah County, Utah.

Submitted: September 6, 1934. Decided: Sept. 24, 1934.

Disposition: Supplemental findings and order issued approving stipulation of Railroad Company and State Road Commission covering distribution of costs.

CASE NO. 1291

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to construct an overhead crossing over the main line tracks of The Denver and Rio Grande Western Railroad Company near Colton in Utah County, Utah.

Submitted: September 6, 1934. Decided: Sept. 24, 1934.

Disposition: Supplemental findings and order issued approving stipulation of Railroad Company and State Road Commission covering distribution of costs.

CASE NO. 1296

In the Matter of the Application of GIBSON T. BERRY, in a representative capacity, for a certificate of convenience and necessity to construct, maintain, and operate a line of railroad. (Pending.)

CASE NO. 1298

In the Matter of the Application of the UTAH LIGHT & TRACTION COMPANY for permission to construct, maintain, and operate an electric trolley coach system on certain streets in Salt Lake City, Utah and discontinue street car service on and remove its tracks therefrom. (Pending.)

CASE NO. 1309

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to abandon two grade crossings of the main line tracks of The Denver and Rio Grande Western Railroad Company between Woodside and Mounds, in Emery County, Utah.

Submitted: September 6, 1934. Decided: Sept. 24, 1934.

Disposition: Application granted.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF UTAH

In the Matter of the Application of MOAB
PIPE LINE COMPANY for permission } Case No. 1316
to adjust rates.

Submitted: December 21, 1934. Decided: May 13, 1935.

Appearances:

F. B. Hammond, Attorney } for
Moab Pipe Line Company.
Knox Patterson, Attorney } for
Town of Moab, et al.

SUPPLEMENTARY REPORT AND ORDER

By the Commission:

A hearing was held in the above entitled matter at Moab, Utah, commencing on the 24th day of August, 1933, and was concluded on the 26th day of September, 1933, at Salt Lake City, Utah, whereupon the Commission made certain findings and rendered a Report and an Order on the 20th day of February, 1934, temporarily approving the rates and charges then proposed by the applicant; said Order further provided that the applicant meet certain requirements of the Commission as in said order set forth, on or before September 1st, and that further hearing be had on the 10th day of September, 1934.

That the further hearing on this matter, to have been had before this Commission on the 10th day of September, 1934, as in the said Order provided, was upon due notice given postponement until the 20th day of December, 1934, to be held at the office of the Commission in the State Capitol, Salt Lake City, Utah, at which time and place evidence was adduced in applicant's behalf, from which we find that the applicant has complied with the above mentioned Order of the Commission in the manner following:

(1) That the applicant has improved its said water system by reconstructing it, making it circulatory, more sanitary, and efficient.

(2) That the applicant has promulgated a rule that in the event of a shortage of water, domestic use shall have preference over lawns, gardens and live-stock watering, and has established special rates to be charged for lawns and other uses than for culinary and domestic purposes.

(3) That the applicant has rendered an inventory and appraisal of its property used and useful in rendering public service including the cost of improving its water system, together with the result of its operation under the orders of the Commission heretofore made; that the inventory and appraisal of the applicant's water system hereto attached, marked "Exhibit A" is expressly referred to and made a part of these findings; that the total reproduction cost, new, of the applicant's water system is \$34,383.52, and its present depreciated value is \$20,662.02.

(4) That applicant's operating revenues or receipts from water users for the year ending December 31, 1934, was \$3,941.11, and its operating expenses \$3,360.35, leaving a net operating revenue of \$580.76, a return on the present depreciated value of its water system of slightly less than 3%.

(5) That the applicant's present method of serving its patrons with water is upon a flat rate or unmetered basis; therefore uneconomical and unsatisfactory to the applicant and its patrons alike; that the installation of metered system at the present time would entail an expense that neither the applicant nor its patrons, owing to the prevailing economic conditions, would well bear.

From the foregoing findings, we conclude and decide that an adjustment of the rates and charges of the applicant upon the basis applied for in its application herein should be, and is hereby permitted and allowed. Applicant will prepare a schedule of rates and charges accordingly, together with just and proper rules applicable to its service, and file the same in the office of the Commission without unnecessary delay. Upon the filing of such schedule and rules, a proper and further Order of the Commission approving the same will be made and entered.

(Signed) E. E. CORFMAN,
THOMAS E. McKAY,
Commissioners.

(Seal)

Attest:

(Signed) F. L. OSTLER, Secretary.

BEFORE THE PUBLIC SERVICE COMMISSION
OF UTAH

In the Matter of the Application of MOAB
PIPE LINE COMPANY for permission } Case No. 1316
to adjust rates.

ORDER

By the Commission:

The Commission issued a supplemental Report and Order on May 13, 1935, in the above entitled matter wherein applicant was allowed to prepare a schedule of rates and charges in accordance with the Commission's findings, and file the same in the office of the Commission. In conformity therewith the Moab Pipe Line Company filed a schedule of proposed rates and rules with the Commission on May 24, 1935. The proposed schedule of rates and rules are as follows:

HOUSE TAPS

One tap per month for each family	\$1.50
One tap used less than one month, per day .....	.05
If more than one family in one house, not an apartment house, for each such family using one tap, per month .....	.75
Family or person carrying water from tap on property of another, per month75

GARAGES

Each garage, per month	\$3.00
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PUBLIC BUILDINGS

High School, per month	\$3.00
Central School, per month	3.00

LIVESTOCK TAPS

One tap for watering livestock, per month	\$.75
If more than three head of horses or cows watering at one tap, for each extra horse or cow, per month .....	.25

LAWN TAPS

Each lawn tap, per month	\$1.50
Each lawn tap user must use lawn water for at least six months in each year. If supply in system becomes diminished to a point where house taps are under-supplied, lawn taps must, by order of the Company, be closed; but during such time owners shall be credited 5c per day for each day lawn taps are so closed.	

And it appearing that the above quoted rates and rules are in conformity with the provisions of the Commission's Report and Order made and entered under date of May 13, 1935,

IT IS ORDERED, that the above quoted rates and rules may be made effective on and after June 1, 1935.

Dated at Salt Lake City, Utah, this 5th day of June, A. D. 1935.

(Signed) E. E. CORFMAN,
THOMAS E. McKAY,
JOSEPH S. SNOW,

(Seal)

Commissioners.

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

CASE No. 1321

In the Matter of the Application of P. W. FULLER and R. C. TOPONCE, d/b/a FULLER & TOPONCE TRUCK COMPANY, for a permit to operate as a contract carrier of property between Salt Lake City and the Utah-Idaho State line. (Rehearing.)

Submitted: March 31, 1934. Decided: November 9, 1934.

Disposition: Contract Carrier Permit No. 81 issued authorizing applicants to operate as a contract motor carrier of property in intrastate commerce for the Cudahy Packing Company between Salt Lake City and the Utah-Idaho State line and all intermediate points, over U. S. Highway No. 91; for the Safeway Stores, Inc. between Salt Lake City and the Utah-Idaho State line over U. S. Highway No. 91, excluding intermediate service between Salt Lake City and Ogden, Utah; and for the American Packing and Provision Company between Ogden and Utah-Idaho State line and intermediate points, over U. S. Highway No. 91, including Hyrum, on State Highway No. 101, and Lewiston, on State Highway No. 61.

CASE No. 1344

In the Matter of the Application of D. G. ELSMORE for a permit to operate as a contract motor carrier of property between Salt Lake City and Bountiful, Ogden, and Logan, Utah, via U. S. Highway No. 91. (Supplemental application to amend to include hauling oil products for Sinclair Oil Company from Salt Lake City to Logan, Utah.)

Submitted: May 6, 1935. Decided: May 29, 1935.

Disposition: Supplemental application denied.

CASE NO. 1354

In the Matter of the Application of I. A. PETTY for a permit to operate as a contract motor carrier of property between Salt Lake City and Emery, Utah. (Supplemental application to haul for Safeway Stores at Price, Utah.)

Disposition: Supplemental application dismissed September 24, 1934.

CASE NO. 1359

In the Matter of the Application of UTAH LIGHT AND TRACTION COMPANY to institute and operate a motor bus transportation system on certain streets in Salt Lake City (Routes 10, 14, 15, 16 and 17) to discontinue street car and bus service on certain streets therein, and to abandon and remove its street car tracks on certain streets therein.

Submitted: July 16, 1934. Decided: September 24, 1934.
Disposition: Application granted.

CASE NO. 1363

In the Matter of the Application of MRS. EMILY F. BOLLSCHWEILER for a permit to operate as a contract motor carrier of express between Salt Lake City and Bingham Canyon, Utah.

Disposition: Order issued December 26, 1934 cancelling Contract Carrier Permit No. 21, granted in Case No. 1363 under date of September 29, 1933.

CASE NO. 1369

In the Matter of the Application of S. T. CLARK, operating under the name and style of CLARK TRUCK LINE, for a license to operate as a common motor carrier of property in interstate commerce between Salt Lake City, Utah, and Pocatello, Idaho.

Disposition: Order issued November 8, 1934 cancelling and annulling Interstate Carrier License No. 10 issued in Case No. 1369 under date of April 9, 1934.

CASE NO. 1371

In the Matter of the Application of CLARENCE T. MADSEN for a permit to operate as a contract motor carrier of property between Centerfield, Utah and surrounding towns.

Disposition: Order issued May 7, 1935 cancelling and annulling Contract Carrier Permit No. 26 issued in Case No. 1371 under date of November 22, 1933.

CASE No. 1376

In the Matter of the Application of JACK P. DORNAN, operating under the name and style of JACKSON HOLE STAGE LINES COMPANY, for a license to operate as a common motor carrier of passengers and property in interstate commerce between Salt Lake City, Utah and the Utah-Wyoming State line.

Disposition: Order issued August 17, 1934 cancelling and annulling Interstate Carrier License No. 21 issued in Case No. 1376 under date of November 22, 1933.

CASE No. 1385

In the Matter of the Application of C. W. MERCILL, operating under the name and style of CIRCLE M TRUCK LINE, for a license to operate as a common motor carrier of property in interstate commerce between Salt Lake City, Utah and the Utah-Wyoming State line.

Disposition: Order issued June 5, 1935 cancelling and annulling Interstate Carrier License No. 14 issued in Case No. 1385 under date of October 23, 1933.

CASE No. 1398

In the Matter of the Application of HALES TRUCK LINES for a license to operate as a common motor carrier of property in interstate commerce between points in Utah and points in California.

Disposition: Order issued September 19, 1934 cancelling and annulling Interstate Carrier License No. 25 issued in Case No. 1398 under date of November 29, 1933.

CASE No. 1410

In the Matter of the Application of NORM SARGENT for a certificate of convenience and necessity to operate as a common motor carrier of property between Marysvale and Panguitch, Utah.

Disposition: Order issued May 13, 1935 cancelling and annulling Certificate of Convenience and Necessity No. 417 issued in Case No. 1410 under date of May 19, 1934.

CASE No. 1424

In the Matter of the Application of RAY JUDD for a permit to operate as a contract motor carrier of property between Hoytsville, Utah and Salt Lake City and Draper, Utah. (Supplemental application to amend Contract Carrier Permit No. 45 to haul cream to Western Creamery Company at Salt Lake City, Utah.)

Submitted: January 4, 1935. Decided: February 25, 1935.

Disposition: Supplemental application to amend denied.

CASE No. 1430

In the Matter of the Application of R. A. GOULD for a permit to operate as a contract motor carrier of gasoline between Ogden and Salt Lake City, Utah, via Highway No. 91.

Disposition: Application dismissed without prejudice December 10, 1934.

CASE No. 1441

In the Matter of the Application of FRED W. LINDSAY and W. C. LINDSAY for a permit to operate as a contract motor carrier of property between Salt Lake City and Bingham Canyon, Utah.

Disposition: Order issued November 24, 1934 cancelling and annulling Contract Carrier Permit No. 47 issued in Case No. 1441 under date of March 10, 1934.

CASE No. 1450

In the Matter of the Application of J. F. MAXFIELD for a license to operate as a common motor carrier of property in interstate commerce between Salt Lake City and Ogden, Utah on the one hand and the Utah-Wyoming State line.

Disposition: Order issued August 3, 1934 cancelling and annulling Interstate Carrier License No. 39 issued in Case No. 1450 under date of February 27, 1934.

Order issued August 22, 1934 vacating cancellation order of August 3, 1934.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF UTAH

In the Matter of the Application of HOW-
ARD HOUT, operating under the name
and style of BEEHIVE STAGES for an
amendment to Certificate of Convenience
and Necessity No. 320. } Case No. 1454

Submitted: October 25, 1933. Decided: December 31, 1934.

Appearances:

Dan Shields, Attorney	} for
	} Applicant.
B. R. Howell, Attorney	} for
	} The D. & R. G. W. R. R. Co.
E. J. Hardesty	} for
	} Railway Express Agency.
R. B. Porter, Attorney	} for
	} Union Pacific R. R. Co.

REPORT OF THE COMMISSION

Corfman, Chairman:

On the 20th day of September, 1933, Howard Hout, doing business under the trade name of Beehive Stages, filed an application with the Public Utilities Commission of Utah, praying for an order of the Commission amending his Certificate of Public Convenience and Necessity so as to authorize and permit him to carry express "without limitation" on the automobile passenger buses being operated by him over the public highway, between Salt Lake City and Park City, Utah.

Said application, together with protests made to the granting of the same in behalf of The Denver and Rio Grande Western Railroad Company, and the Railway Express Agency, came on regularly for hearing after due notice given before the Commission at Park City, Utah, on the 25th day of October, 1933.

From the records and files and the evidence adduced in behalf of the applicant and protesting carriers in this case, the Commission finds, reports, and concludes as follows:

That the applicant, Howard Hout, as the "Beehive Stages" for many years last past has been and is now rendering an automobile passenger bus service for hire over the public highways between Salt Lake City and Park City, Utah, under authority granted by Certificate of Public Convenience and Necessity No. 74, issued by this Commission in Case No. 265 on the 4th day of March, 1920.

Since said Certificate No. 74 was granted the applicant, the further right was extended to him, after due investigation and hearing, to carry upon his passenger buses certain property as emergency express for the accommodation of the public, viz: flowers, newspapers, ore samples, and emergency repairs for mining equipment and other machinery in cases of break-down, medicines, and surgical supplies for the relief of sickness and injury to persons in all emergency cases, and also extras for farming machinery and automobile parts in cases of break-down.

Park City is a mining town with a population of about 2000 people. Its growth and existence is almost wholly attributable to mining operations conducted at and in its immediate vicinity. The success of mining operations in the Park City District is largely attributable to the transportation afforded by railroads.

The District is served by The Denver and Rio Grande Western Railroad Company, which operates a steam line of railroad between Denver, Colorado, and Ogden, Utah, with a branch line extending from Salt Lake City to Park City, paralleling the highway now used by the applicant in rendering automobile service.

The Union Pacific System also owns and operates a branch line extending from Ogden to Park City.

Both of these railroads, besides transporting ores and mine supplies, renders a general freight service to Park City. Express service is also rendered over these branch railroad lines by the Railway Express Agency.

These transportation agencies respectively serve Park City daily, except on Sundays. Their service, generally speaking, is adequate and dependable in carrying both carload and less than carload freight and express, both in and out of Salt Lake City and Ogden, the principal trade centers patronized by the merchants of Park City. The testimony of witnesses at the hear-

ing of this matter quite conclusively shows that occasions arise where the special services of the applicant is not only a great convenience but a necessity for the accommodation of the public at Park City. In the banking business, the transmission of cancelled vouchers by the Park City Bank to its banking correspondent at Salt Lake City, the handling and transportation of picture films, ice cream, meat pies, tamales, and in some instances fresh meats call for the special service of the applicant; but otherwise it has not been shown there is any real need for transportation service other than that now being rendered by the protesting existing rail carriers, and the special service heretofore authorized and rendered by the applicant. Under the laws of our state, ample provision is made for the granting of temporary permits by this commission should real need occasionally arise for service other than that afforded by existing carriers, which if found to be reasonably adequate precludes our granting an application to render duplicate or additional service.

From the foregoing findings, and for the reasons assigned, the Commission concludes and decides that the application of Howard Hout, herein, to carry freight and express over the highway between Salt Lake City and Park City without limitation should be denied; provided, however, that in addition to the property applicant has heretofore been authorized to carry he should be permitted to carry upon his automobile passenger buses for the accommodation of the shipping public, bank vouchers, moving picture films, ice cream, meat pies, tamales, and fresh meats when called upon by shippers to do so, and without solicitation on his part.

An appropriate order will follow.

(Signed) E. E. CORFMAN,

We concur:

THOS. E. MCKAY,
T. H. HUMPHREYS,

Commissioners.

(Seal)

Attest:

(Signed) F. L. OSTLER, Secretary.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF UTAH

At a Session of the Public Utilities Commission of Utah, held at its office in Salt Lake City, Utah, on the 31st day of December, A. D. 1934.

In the Matter of the Application of HOWARD HOUT, operating under the name and style of BEEHIVE STAGES, for an amendment to Certificate of Convenience and Necessity No. 320. } Case No. 1454

ORDER

This case being at issue upon application and protest on file, and having been duly heard and submitted by the parties, and full investigation of the matters and things involved having been had, and the Commission having, on the date hereof, made and filed a report containing its findings and conclusions, which said report is hereby referred to and made a part hereof,

IT IS ORDERED, that the application herein of Howard Hout to amend his Certificate of Convenience and Necessity No. 320 to include permission to carry express "without limitation," be, and it is hereby denied; provided, however, that in addition to the property applicant has heretofore been authorized to carry, he shall be permitted to carry upon his automobile passenger buses for the accommodation of the shipping public, bank vouchers, moving picture films, ice-cream, meat pies, tamales and fresh meats.

ORDERED FURTHER, that applicant shall not solicit shippers to send these items via his line, but in case of an emergency, applicant will be permitted to haul the above mentioned commodities, when requested to do so by the shippers.

By Order of the Commission.

(Signed) F. L. OSTLER, Secretary.

(Seal)

CASE No. 1462

In the Matter of the Application of INTERMOUNTAIN TRANSFER COMPANY, a co-partnership, for a license to operate as a contract motor carrier of property in interstate commerce between Ogden, Utah and the Utah-Idaho and Utah-Wyoming State lines. (Pending.)

CASE No. 1463

In the Matter of the Application of INTERMOUNTAIN TRANSFER COMPANY for a permit to operate as a contract motor carrier of property between Ogden and Springville, Utah, via U. S. Highway No. 91. (Pending.)

CASE No. 1470

In the Matter of the Application of J. E. TREAGLE and A. NAY, operating under the name and style of Arizona-Utah Transportation Lines, for a license to operate as a common motor carrier of passengers and express in interstate commerce between Salt Lake City, Utah and the Utah-Arizona State line.

Disposition: Order issued January 18, 1935 cancelling and annulling Interstate Carrier License No. 23 issued in Case No. 1470 under date of November 22, 1933.

CASE No. 1473

In the Matter of the Application of G. J. NIELSON for a license to operate as a common motor carrier of property in interstate commerce between Monticello, Utah and the Utah-Colorado and Utah-Arizona State line.

Disposition: Order issued January 29, 1935 cancelling and annulling Interstate Carrier License No. 53 issued in Case No. 1473 under date of May 8, 1934.

CASE No. 1479

PUBLIC SERVICE COMMISSION OF UTAH, Complainant, vs. The Mountain States Telephone & Telegraph Company, Defendant. (Pending.)

CASE No. 1482

In the Matter of the Application of THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY for permission to publish on Utah intrastate traffic arbitraries over and above the mileage scale of rates prescribed by the Interstate Commerce Commission for application on cottonseed, its products, and related articles.

Disposition: Order issued November 2, 1934 dismissing application without prejudice.

CASE No. 1499

In the Matter of the Application of PETTY & LUNT, INC. to amend Certificate of Convenience and Necessity No. 371 (Cedar City-Kanab) to include the towns of Virgin, Rockville, Springdale, and Zion National Park.

Disposition: Order issued November 24, 1934 dismissing application without prejudice.

CASE No. 1510

UTAH CONSTRUCTION COMPANY, Complainant,
vs, THE DENVER AND RIO GRANDE WESTERN RAIL-
ROAD COMPANY, et al., Defendants. (Pending.)

CASE No. 1511

In the Matter of the Application of J. CLAUD HICKEN & SONS, a partnership, for a permit to operate as a contract motor carrier of property in intrastate commerce between Heber City, Provo, and Salt Lake City, Utah. (Rehearing)

Submitted: June 13, 1934. Decided: July 6, 1934.

Disposition: Contract Carrier Permit No. 74 issued authorizing applicant to haul for J. J. Sellers, Nephi Moulton, Wasatch Cleaners, Lee Holdaway Plumbing, Reed Kohler Mercantile Co., Bonner Mercantile Co., and Utah Poultry Association, between Heber City, Provo, and Salt Lake City, Utah, over Utah Highway No. 7 and U. S. Highway No. 91.

CASE No. 1511

In the Matter of the Application of J. CLAUD HICKEN & SONS, a partnership, for a permit to operate as a contract motor carrier of property in intrastate commerce between Heber City, Provo, and Salt Lake City. (Petition to amend Contract Carrier Permit No. 74.)

Submitted: October 9, 1934. Decided: February 13, 1935.

Disposition: Contract Carrier Permit No. 74 amended authorizing applicants to haul for O. P. Skaggs, Buell's Food Store, Wave Publishing Company, Storm McDonald, Heber City Exchange, and Palace Drug Company, all of Heber City, Utah and the North Mercantile Company of Charleston, Utah; the hauling for Heber City Exchange Company to be limited to freight other than green vegetables, cured meats, butter and crackers; and the hauling for O. P. Skaggs System to exclude fresh and green vegetables, and fresh and cured meats.

CASE No. 1517

In the Matter of the Application of SOUTHERN UTAH TRUCK COMPANY for a certificate of convenience and necessity to operate between Salt Lake City and Cedar City, Utah, and certain intermediate points, and to have cancelled Certificate of Convenience and Necessity No. 411 issued to E. LeRoy Puffer.

Submitted: March 30, 1934. Decided: Sept. 19, 1934.

Disposition: Certificate of Convenience and Necessity No. 422 issued authorizing applicant to operate as a common motor carrier of property between Salt Lake City and Levan, Scipio, Holden, Fillmore, Meadow, Kanosh, Cove Fort, Sulphurdale, Beaver, Paragonah, Parowan, and Summit; and between Cedar City and Summit, Parowan, Paragonah, Beaver, Kanosh and Meadow, via U. S. Highway No. 91. Service between Salt Lake City and Cedar City prohibited. Certificate of Convenience and Necessity No. 411 previously issued to E. LeRoy Puffer (Case No. 1453) cancelled.

CASE No. 1519

In the Matter of the Application of JOSEPH HAFEN for a permit to operate as a contract motor carrier of property in intrastate commerce between Marysvale, Bryce Canyon, Orderville, Sevier, Summit, and Minersville, Utah, upon Highways Nos. U. S. 89, U. S. 91, U-12, U-13, and U-21.

Disposition: Order issued November 8, 1934 cancelling and annulling Contract Carrier Permit No. 55 issued in Case No. 1519 under date of April 9, 1934.

CASE No. 1521

In the Matter of the Application of NORTON TRUCK LINE for a license to operate as a contract motor carrier of property in interstate commerce between Salt Lake City, Utah and Los Angeles, California, over and upon Highways Nos. 91, 89, and 66.

Submitted: July 16, 1934. Decided: September 24, 1934.

Disposition: Application granted under authority of Interstate Carrier License No. 63.

Order issued March 27, 1935 cancelling and annulling Interstate Carrier License No. 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF UTAH

In the Matter of the Application of THE
DENVER AND RIO GRANDE WEST-
ERN RAILROAD COMPANY to close
its station agency at Moroni, Utah. } Case No. 1523

Submitted: April 12, 1934. Decided: November 30, 1934.

Appearances:

B. R. Howell, Attorney	} for
	} Applicant.
Jensen & Jensen, Attorneys	} for Moroni City and other
	} protestants.
B. C. Lewis	} for himself
	} (Protestant).

REPORT AND ORDER OF THE COMMISSION

By the Commission:

In an application filed with the Commission on February 3, 1934, The Denver and Rio Grande Western Railroad Company requested permission to discontinue the operation of its agency station at Moroni, Utah. Hearing was originally set for March 23, 1934, but was postponed twice, and the matter came on regularly for hearing before the Commission at Moroni, Utah, on April 12, 1934, after due and legal notice given to interested parties. Proof of publication of notice of hearing was filed, and made a part of the record. From the evidence presented, and admitted of record, the Commission finds:

That applicant, The Denver and Rio Grande Western Railroad Company, is a corporation organized under and by virtue of the laws of the State of Delaware, and duly authorized to transact business in the state of Utah; that applicant is an interstate carrier of freight and passengers for hire by rail, operating a main line of steam railroad from Ogden, Utah, to Denver, Colorado, with a branch line known as the Sanpete Valley Branch, running from a junction with Applicant's Marysville Branch at Ephraim, Utah, to Nephi, Utah.

That the Town of Moroni is located on said Sanpete Valley Branch at a point approximately 11.3 miles northerly from Ephraim, and about 23.4 miles southeasterly from Nephi; that the population of the town of Moroni is approximately 1200 people.

That applicant is continuously attempting to reduce its operating costs to a minimum, and alleges that by discontinuing the operation of its agency station at Moroni, it will effect an economy in operation without seriously impairing the quality of service rendered the shipping public residing in and around Moroni.

That Moroni City Corporation, by its Mayor, H. E. Dice, filed a written protest and objection and produced evidence in opposition to the granting of the application, and tending to show it is an absolute necessity that said station agency be maintained at Moroni for the convenience and necessity of the people living in and around Moroni.

Applicant's Exhibit "A" shows the less than carload freight received and forwarded from its Moroni station for the years 1932 and 1933. The exhibit shows 211 shipments received in 1932, with revenue accruals of \$1134.25, which averages a little in excess of 17 shipments per month, and revenue of \$94.52 per month. In the same year, 18 shipments were forwarded, which brought \$100.44 of revenue to the Company, which averages $1\frac{1}{2}$ shipments per month, and \$8.37 revenue per month.

During the year 1933, 243 shipments were received, with revenue accruals of \$1132.34, which averages slightly in excess of 20 shipments per month, and \$94.36 revenue per month. In the same year, applicant forwarded 15 shipments, with revenue of \$169.04, or an average of $1\frac{1}{4}$ shipments a month, and \$14.08 revenue per month.

Applicant's Exhibit "B" shows carload freight handled at Moroni during the year 1932. This statement shows 58 carloads received, and 243 carloads forwarded during said year. The principal commodities received were wheat and coal, while the principal commodities forwarded in carload lots were sugar beets and sheep.

Applicant's Exhibit "C" shows the same information for the year 1933. This statement shows 151 carloads of freight received at Moroni, and 305 carloads forwarded from Moroni. The principal commodities received were sugar, pulp, and coal; while the principal commodities forwarded were sugar beets and sheep.

The revenues received on carload business for the years 1932 and 1933, as shown by said exhibits, were as follows:

Year	Freight Received	Freight Forwarded	Total
1932 -----	\$ 7,185.76	\$13,852.71	\$21,038.47
1933 -----	16,798.10	21,835.63	38,633.73

The total revenue accruals from both carload freight and less than carload freight for 1932, as shown by Exhibits "A" and "B" were \$22,273.16. The total revenue accruals from the operation of the Moroni Station for the year 1933, as shown by Exhibits "A" and "C" were \$39,935.11. The year 1933, therefore, shows an increase of \$17,661.95 over the year 1932 in business done at the Moroni Station.

Applicant's Exhibit "E" shows the expenses in connection with the operation of its Moroni station, which were:

1932 -----	\$1,289.56
1933 -----	1,190.79

In its Exhibit "D", applicant shows revenue accruals at the Moroni station from all freight received and forwarded for the first three months of 1934, which were as follows:

January -----	\$556.29
February -----	467.93
March -----	875.80

This exhibit also shows the agent's wages at said station for the same period, as follows:

January -----	\$95.61
February -----	85.79
March -----	97.20

The territory in this section of the state is dependent primarily upon agricultural and livestock pursuits. The section is one of the sparsely settled regions of the State of Utah, and applicant is the only line of railroad serving said territory. The territory also is furnished daily passenger and freight service by motor vehicle by the Rio Grande Motorway, Inc., a subsidiary of The Denver and Rio Grande Western Railroad Company. However, The Rio Grande Motorway, Inc., is not equipped physically to handle carload shipments of livestock.

This Commission has repeatedly held that the public interest is paramount in matters of this kind, and that a common carrier serving the public has a direct responsibility to furnish service and facilities consistent with the demands of the shipping and traveling public. In the instant case, it appears that the people residing in and around Moroni are entitled to sufficient railroad service and facilities to enable them to operate their farm and livestock ventures in a reasonably efficient manner.

It would seem from the testimony in this case that if applicant were permitted to close its station at Moroni, it would work an undue hardship upon patrons of said applicant in the territory affected, and that public convenience and necessity require the operation of an agency station at Moroni, Utah.

From applicant's exhibits hereinabove referred to, it appears that the operation of the Moroni station as an agency station is not an undue burden upon applicant.

WHEREFORE, by reason of the findings aforesaid, and the record and files in the case, all of which are expressly referred to and made a part hereof, the conclusion is reached that the application should be denied.

IT IS THEREFORE ORDERED, that the application herein of The Denver and Rio Grande Western Railroad Company to close its station agency at Moroni, Utah, be, and the same is hereby denied.

(Signed) E. E. CORFMAN,
THOS. E. McKAY,
T. H. HUMPHERYS,

Commissioners.

(Seal)
Attest:

(Signed) F. L. OSTLER, Secretary.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF UTAH

In the Matter of the Application of THE
DENVER AND RIO GRANDE WEST- } Case No. 1524
ERN RAILROAD COMPANY to close
its station agency at Riverton, Utah. }

Submitted: March 21, 1934.

Decided: August 3, 1934.

Appearances:

B. R. Howell, Attorney, of } for
VanCott, Riter & Farnsworth } Applicant.

F. A. Butterfield, } for Salt Lake County Feeders'
of Riverton } Association.

Gwynne Page, } for
of Riverton } Riverton Motor Co.

REPORT AND ORDER OF THE COMMISSION

By the Commission:

Under date of February 3, 1934, application was filed by The Denver and Rio Grande Western Railroad Company for permission to close its station agency at Riverton, Utah. This matter came on regularly for hearing before the Public Utilities Commission at Salt Lake City, Utah, on March 21, 1934, after due and legal notice given to interested parties. From the evidence adduced for and in behalf of interested parties, the Commission makes the following findings:

That applicant, The Denver & Rio Grande Western Railroad Company, is a Delaware Corporation, duly authorized and qualified to transact business in the State of Utah; that applicant operates a steam line of railroad in interstate commerce for the transportation of freight and passengers between Ogden, Utah, and Denver, Colorado;

That Riverton is an unincorporated town with a population of approximately 1,250 people, located on the main line of applicant's railroad, a distance of 5.9 miles south of Midvale in Salt Lake County, Utah;

That the Riverton station of The Denver and Rio Grande Western Railroad Company is located approximately one and three-fourths miles westerly of the business center of the Town of Riverton; that there are no industries located at Riverton with the exception of a poultry association and a livestock association.

That in addition to the service rendered by The Denver and Rio Grande Western Railroad Company to the Town of Riverton, the Salt Lake & Utah Railroad Company operates an electric line of railroad between Salt Lake City and Payson, Utah, running directly through the business center of Riverton, offering a frequent and efficient passenger and freight service to the people of Riverton and vicinity, consisting of ten trains daily carrying passengers and less carload freight, one daily freight train, and another daily freight train, except Sundays; also, the Los Angeles and Salt Lake Railroad, another steam line, runs through, approximately three and one-half to four miles east of Riverton.

That in 1932 applicant received at Riverton station 41 shipments of less than carload freight, with revenue of \$217.11, which 41 shipments were delivered to 20 consignees; and that in the same year only 8 shipments of less than carload freight were forwarded, with revenue of \$27.58. In 1933, 44 shipments of less than carload freight were received at Riverton, delivered to 11 consignees, with revenue of \$232.53; and in the same year, 4 less than carload shipments were forwarded with revenue of \$12.61.

In 1932, 23 carloads of freight were received at Riverton and 387 carloads forwarded, of which 387 carloads, 200 were sand and gravel and 186 were sugar beets. Only 9 cars of sheep were received, and none forwarded. No other livestock was received or forwarded. In 1933, only 6 carloads of freight were received and 446 carloads forwarded, of which 446 carloads 266 were sand or gravel and 176 were sugar beets. The only livestock handled was two carloads of cattle received and two forwarded.

During January and February, 1934, 9 shipments of less than carload freight, with revenue of \$67.83, were received and no shipments forwarded; and during the same period 1 carload of coal was received, and 13 carloads forwarded, of which 12 were sand or gravel, and one was cattle.

The station expenses at Riverton in 1932 were approximately \$1,268.72, and in 1933, \$1,216.72.

That the merchants of Riverton ship the majority of their merchandise by truck and practically the only use made by them of the railroad facilities is for shipments from and to eastern trade centers; that the carload shipments of sand, gravel, and

sugar beets forwarded from Riverton were billed and taken into the railroad accounts at that station solely because Riverton is the station nearest to the actual point of loading. Nothing relative to these shipments was done, except the billing, which could not have been done as satisfactorily both from the standpoint of the railroad and the public, at Midvale, as at Riverton; also that carload shipments can be handled from non-agency stations at very little inconvenience both to the railroad and the shipper, and that the revenue from less carload business does not justify the expense of maintaining an agent at Riverton.

That applicant has practically no passenger traffic to or from Riverton; that the U. S. Mail is handled by the applicant, but that the station agent is not concerned with such handling.

That in 1933 the gross earnings of applicant were insufficient by more than \$2,138,000.00 to pay its operating expenses, i.e., interest and taxes, in addition to which deferred maintenance of way and structures and of equipment to the extent of several million dollars has accrued; that there were likewise heavy losses in 1931 and 1932 in income and large amounts of deferred maintenance; that the need of great economy on the part of applicant is plain; that a saving to the Railroad Company of approximately \$1200.00 per annum can be effected by closing the station agency at Riverton; and that such agency can be closed without serious inconvenience to the applicant's patrons or the public.

From the foregoing findings, the Commission concludes and decides that the application herein of The Denver & Rio Grande Western Railroad Company to close its agency station at Riverton, Utah, should be granted.

IT IS THEREFORE ORDERED, That the application herein of The Denver and Rio Grande Western Railroad Company to close its station agency at Riverton be, and the same is hereby granted; provided, however, that the Railroad Company make suitable arrangements for taking care of all property unloaded at that point until it is called for by consignee.

(Signed) E. E. CORFMAN,
THOS. E. MCKAY,
T. H. HUMPHERYS,
Commissioners.

(Seal)
Attest:

(Signed) F. L. OSTLER, Secretary.

CASE No. 1529

In the Matter of the Application of S. J. HOLT for a license to operate as a common motor carrier of property between Salt Lake City and Los Angeles, California, over and upon Highway No. 91 in interstate commerce.

Disposition: Order issued January 29, 1935 cancelling and annulling Interstate Carrier License No. 47 issued in Case No. 1529 under date of April 23, 1934.

CASE No. 1531

PUBLIC SERVICE COMMISSION OF UTAH, Complainant, vs. UTAH POWER & LIGHT COMPANY, a corporation, Defendant. (Pending.)

CASE No. 1533

In the Matter of the Application of KENNETH L. HESS for a permit to operate as a contract motor carrier of property in intrastate commerce between Salt Lake City, Utah and the Utah-Wyoming line, via Garland, over and upon Highways Nos. 91, 30 and 41..

Disposition: Order issued October 26, 1934 cancelling and annulling Contract Carrier Permit No. 58 issued in Case No. 1533 under date of April 25, 1934.

CASE No. 1535

In the Matter of the Application of OMAHA RAPID TRANSIT LINES for a license to operate as a common motor carrier of passengers and property in interstate commerce between Utah-Wyoming State line and Utah-Arizona State line over Highways Nos. 30 and 91.

Submitted: March 16, 1934. Decided: Sept. 27, 1934.

Disposition: Application denied.

CASE No. 1538

In the Matter of the Application of K. H. HARMON, d/b/a SALT LAKE PHOENIX TRUCK LINE, for a license to operate as a common motor carrier of property between Salt Lake City and the Utah-Arizona line enroute to Phoenix, Arizona, over Highway No. 89.

Disposition: Order issued August 3, 1934 cancelling and annulling Interstate Carrier License No. 50 issued in Case No. 1538 under date of April 27, 1934.

CASE NO. 1540

In the Matter of the Application of H. H. VOELLGER, d/b/a WESTERN MOTOR FREIGHT, for a license to operate as a common motor carrier of property from Seattle, Washington between the Utah-Idaho State line and the Utah-Wyoming State line, via Salt Lake City, Utah, enroute to Denver, Colorado, over and upon Utah State Highway No. 41, and U. S. Highways Nos. 91, 40 and 30-S.

Disposition: Order issued January 29, 1935 cancelling and annulling Interstate Carrier License No. 51 issued in Case No. 1540 under date of May 1, 1934.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF UTAH

In the Matter of the application of SALT LAKE TRANSFER COMPANY for a permit to operate as a contract motor carrier of property in intrastate commerce between Salt Lake City and anywhere in the State of Utah. } Case No. 1544

Submitted: May 17, 1934.

Decided: Sept. 27, 1934.

Appearances:

Herbert B. Maw and
Irwin Clawson, Attorneys
J. A. McHale

J. W. Orton

Geo. H. Lowe

F. M. Orem, Comptroller

Geo. H. Smith, R. B. Porter
and W. Hal Farr, Attorneys
S. D. Thurman and A. B.
Irvine of Irvine, Skeen &
Thurman

J. A. Howell, Attorney

B. R. Howell, of VanCott,
Riter & Farnsworth

Lynn S. Richards, Attorney

} for
} Applicants.
} for
} Utah Central Truck Line.
} for
} Magna-Garfield Truck Co.
} for
} Fuller & Toponce Truck Line.
} for
} S. L. & Utah R. R. Co.
} for
} Union Pacific System.
} for
} Bamberger Electric R. R. Co.
} for
} Utah-Idaho Central R. R. Co.
} for D. & R. G. W. R. R. Co.
} and Rio Grande Motorway
} Inc.
} for Salt Lake-Ogden
} Transportation Co.

Protestants.

REPORT OF THE COMMISSION

By the Commission:

On the 6th day of March, 1934, Geo. A. Sims and Milton K. Sims, as partners doing business at Salt Lake City, Utah, under the firm name and style of Salt Lake Transfer Company, filed an application with the Public Utilities Commission for a permit, under the provisions of Chapter 53, Laws of Utah, 1933, to operate motor vehicles for hire as a "contract carrier of property" in intrastate commerce over and upon "all highways and anywhere in the State of Utah."

The application came on regularly for hearing before the Commission after due notice given, at its office, in the State Capitol, Salt Lake City, Utah, on the 21st day of March, 1934, when numerous appearances were entered and objections made to the granting of the application in behalf of established carriers of property in intrastate commerce, both by rail and by motor transport, over the highways, more especially upon the ground that the Commission has no statutory authority or jurisdiction to grant the permit as applied for by the applicants.

On the other hand, the applicants have contended that under the provisions of said Chapter 53, the Commission should upon their application issue them a permit pro tanto. We took the claims and objections of the respective parties under advisement to be ruled upon after receiving evidence.

From the evidence, the Commission finds and reports as follows:

That the applicants, Geo. A. Sims and Milton K. Sims are residents of Salt Lake City, and are now and for many years last past have been engaged in the "transfer business" over the Utah highways as co-partners, transporting property for compensation under the firm name and style of Salt Lake Transfer Company. In the past, approximately ninety percent of their said business has been conducted within the corporate limits of Salt Lake City, without any permit or authority of the Commission. Outside of the city, their business has consisted largely in the movement of household goods and furniture, and heavy machinery over the highways for one shipper at a time. They own and operate special equipment adapted to this service, consisting of a fleet of automobile trucks. They

have net assets, as shown by their financial statement attached to their application herein, aggregating \$57,176.49. They have been using the public highways for their transportation business outside of Salt Lake City by making occasional trips for shippers, principally from Salt Lake City to destinations beyond. As part of their service to the public, they have often times engaged in the dismantling of heavy machinery before moving, and again at times have assembled it at places of destination, under special contracts entered into by them with the shippers. Although they have not kept on file in the office of the Commission either rate or time schedules, as required of contract and other motor carriers under the Statutes of the State and the Rules and Regulations of the Commission, their charges for transportation service have under like conditions been quite generally uniform. Since, and before Chapter 53, Laws of Utah, 1933; was passed by the Legislature, and had become effective, they have reported regularly to the Public Utilities Commission the result of their operations for hire over the highways of the State outside of Salt Lake City, and have paid the state road maintenance taxes assessed against them for their use in accordance with such operations as required by the laws of the State.

Since the provisions of said Chapter 53 became effective, they have also carried and kept on file in the office of the Public Utilities Commission a public liability and property damage insurance policy, also cargo insurance policy, and bond to secure payment of all fees, taxes, and charges which might accrue and become due the state, in the manner provided for and as required by the provisions of Article 5, of Chapter 53, and the rules of the Commission.

In the conduct of their transportation business, they have quite generally held themselves out to the public in their special line of service as willing to carry for anyone, and by advertisement in the Salt Lake City Public Telephone Directory as follows:

"Telephones Wasatch 2337-2338

Moving Vans and Storage

SALT LAKE TRANSFER COMPANY

George A. Sims

M. K. Sims

Safes, Boilers, and Machinery Moved

Baggage and Commercial Hauling Solicited

Auto Trucks and Auto Furniture Vans
Long Distance Hauling
Office 108 West Second South, Salt Lake City, Utah."

In the regular course of applicant's transportation business conducted in Utah, applicants have seldom if ever refused to handle for anyone the kind and character of property in which they have specialized in transporting over the highways.

Since the effective date, June 26, 1933, of Chapter 53, Laws of Utah, 1933, applicants have applied for and received from the Commission under the provisions of Section 13 of Article 3 thereof, 1,252 temporary permits. Such permits have been denied the applicants in a few instances only—where the shipments could and would be handled quite as well and the same efficient and convenient service be rendered to the shipper by regularly licensed, common carriers, either by rail or by motor vehicle, as that proffered by the applicants.

When Chapter 53 became effective, practically every city, town, and community in the State of Utah was, and is now, afforded adequate, convenient, and dependable service by existing transportation facilities, duly authorized under state laws and there was not then, nor is there now, need for any additional transportation facilities except in special instances occasioned by emergencies and by reason of seasonal and extraordinary traffic conditions arising that the regularly operating, duly licensed carriers are unable to meet, or where some special service may be afforded the shipper that such duly licensed carriers are not prepared to give.

When Senate Bill No. 36, now Chapter 53, Laws of Utah, 1933, was before the Legislature for consideration, representatives of the moving van or so-called transfer business, vainly sought to have the bill amended so as to exclude them from its operations. They proposed an amendment for that purpose and it was rejected.

Since said Chapter 53 became effective, numerous operators of motor vehicles for hire theretofore engaged in the so-called transfer or moving van business over the state highways outside of the cities and towns filed their applications with the Commission for contract carriers' permits to use automobile trucks at random over any and all highways of the state, and all such applications for contractors' permits have heretofore

been denied by this Commission. This class of operators, however, together with others not rendering service as common or contract carriers, have been granted to date 19,317 temporary permits under the provisions of said Chapter 53, in order to take care of emergencies, seasonal traffic, and where some special service was required that existing transportation agencies were not prepared to give.

The right of the applicants here to the contractors' permit applied for involves as we believe an interpretation of the provisions of said Chapter 53, as a whole.

In passing Chapter 53, the purpose of the Legislature was declared by subdivision (e) of Section 1 Article 1 to be the following:

"It is hereby declared to be the purpose and policy of the legislature in enacting this law to confer upon the Commission (Public Utilities Commission) the power and authority to make it its duty to supervise and regulate the transportation of persons and property by motor vehicle upon or over the public highways of this state in all matters whether specifically mentioned herein or not so as to:

(1) Relieve the existing and all future undue burdens on the highways arising by reason of the use of the highway by motor vehicles:

(2) Protect the safety and welfare of the traveling and shipping public in their use of the highways;

(3) Carefully preserve, foster, and regulate transportation and permit the coordination of transportation facilities."

Then again it is declared by Section 34 of Article 5, under the title, "General Administration and Regulation," the purpose of the Legislature in passing the Act to be:

"SECTION 34. *Purpose of Act.*

"The business of operating as a motor carrier for hire along the highways of this state is declared to be a business affected with the public interest. The rapid increase of motor carrier traffic and the fact that under existing law many motor vehicles are not effectively regulated, have increased the dangers and hazards on public highways and makes it imperative that more stringent regulation should be employed, to the end that the highways may be rendered safer for the use of the general

public; that the wear of such highways may be reduced; that discrimination in rates charged may be eliminated; that the use of the highways for the transportation by motor vehicles for hire may be restricted to the extent required by the necessity of the general public, and that the various transportation agencies of the state may be adjusted and correlated so that public highways may serve the best interest of the general public."

Section 13 of Article 3, upon which Applicants chiefly rely, among other things provides:

"Before granting a permit to a contract motor carrier, the Commission shall take into consideration the character of the highway over which said contract motor carrier proposes to operate, and the effect thereon, and upon the traveling public using the same, and also other existing transportation facilities and whether or not there is any real necessity for the service proposed to be rendered, and if it appears from the evidence that the highway is, in the opinion of the Commission, already unduly burdened with traffic and that additional traffic will unduly interfere with the traveling public, or that the service furnished by the existing transportation facilities is reasonably adequate and that there is no real need for any additional transportation facilities, the Commission shall not grant such permit. Upon application made therefor, without a hearing or the payment of a filing fee, the Commission may grant a temporary permit authorizing a contract motor carrier to make a single or round trip, said temporary permit to expire in not to exceed five days; provided, however, that upon the filing of an application with the Public Utilities Commission, and payment of all fees as provided by this act, each contract motor carrier, now operating, shall be granted a permit."

It is under the proviso last above quoted, the applicants insist that the Commission should grant them a permit to operate as a contract motor carrier over all the highways of the State.

The first question that arises is whether or not the applicants, in view of their present and past operations, may be regarded under the law as contract carriers of property. If they are not contract carriers within the meaning of the statute, it must be conceded that the proviso upon which they rely, has no application. The protesting carriers insist that the appli-

cants must be by reason of the very nature of their operations, regarded as common motor carriers of property. Subdivision (a) of Section 2, of Chapter 53, defines a common motor carrier of property thus:

"The term 'common motor carrier of property,' when used in this act, shall mean any person who holds himself out to the public as willing to undertake for hire to transport by motor vehicle from place to place the property of others who may choose to employ him."

By subdivision (a), Section 10, of Article 3, a contract motor carrier is defined thus:

"The term 'contract motor carrier of property' when used in this act, shall mean any person engaged in the transportation by motor vehicle of property for hire and not included in the term 'common motor carrier of property,' as hereinbefore defined."

No exception of the carrier for hire is made under the act except Section 11, of Article 3 provides:

"This act shall not apply to contract motor carriers who shall operate wholly within any city or town of this state, or while engaged wholly in the transportation of children to or from school."

Charged as we are with the statutory duty of administering all the provisions of Chapter 53, as well as the proviso found in Section 13 of Article 3, we have conscientiously endeavored to carry out that which we have believed to have been the intent and purpose of the Legislature by its enactment, and in the best manner possible to subserve the public welfare and the interests of the state. All present forms of transportation are in a great measure competitive and their placement and proper control in the interest of the public has given rise to much controversy and unsettled the minds of law-makers, administrative bodies, and the courts alike. As each new form has been developed, a new course has had to be chartered, new laws have had to be enacted, and their just and proper application determined with the thought in mind of course that it is not the individual but the public interest that is to be considered and regarded always as paramount.

That is not saying that we as an administrative body should attempt to do otherwise than carry out, no matter what the consequences might be, the expressed intent and purpose of

the Legislature in passing a law, but it is saying that if the intent and purpose is not clear the presumption will be that the Legislative intent was not to do otherwise than safeguard and subserve the public interest, and not that of the individual nor any particular class of carriers.

The applicants in the case under consideration vigorously contend that it was the paramount intent and purpose of the Legislature to accord to them, and all others similarly situated, the freedom of the highways of this state for their operations for hire, as sought for here, regardless as to what the effect might have upon other public transportation agencies, serving the shipping public, nor no matter how seriously applicants' operations may adversely effect the public welfare of the state; applicants assert that the concluding proviso of Section 13 of Article 3, hereinbefore quoted fully supports their contention, because they were "now operating" when the act became effective; that this proviso is mandatory upon us and therefore the permit as applied for should be forthwith issued, regardless of any and all consequences. We are not fully in accord with the applicants' contentions in this case. It is a matter of history and common knowledge that since the advent of the automobile and its use upon the highways as a transport for hire, and long before the act under consideration had been passed, practically every main highway of the State was, and still is being used by licensed carriers seeking under state laws to adequately serve and meet the needs and convenience of the shipping public. To do that these carriers were and still are under the state laws required to serve the public under proper rate and time schedules at just and reasonable rates, and over their lawfully established routes. It is also a matter of history and common knowledge that these carriers were being continually harassed and their service to the general public impaired by the so-called independent operators for hire who contended that their operations, although unauthorized under the laws of the state, were legal, and that they should have, aside from a few police regulations, the untrammelled right to use the highways for the purposes of their business when, where, and as they might choose to use them, and make such contract charges for service as might seem to them most advantageous. That such uncontrolled operations of the independent carriers was believed by the Legislature to be a public menace is made manifest by the act now under consideration.

That the last above mentioned class of operators were mistaken in their views as to their rights to the use of the public highways of the State without authority conferred upon them under Legislative enactments designed to safeguard the public interest is so well settled by the judgments and decrees of the Courts of last resort, both state and federal, in so many litigated cases that we deem citations unnecessary. Automobile carriers operating for hire have no vested nor inherent right to the use of the highways as their places of business. Their operations may be controlled, restricted, or entirely precluded, as the Legislature deems may be for the best interest of the general public; the courts have so repeatedly held that there is no room for further questioning.

That we should briefly refer to the history of transportation over the highways of this state by automobile carriers in general, while seeking to arrive at a proper and safe conclusion as to purpose and intent of the legislature in passing Chapter 53, in view of the contention of the applicants here that we should issue to them a contractor's permit to operate so that they shall have the unrestricted use of all the highways of the state seems to us well justified. It is argued in applicant's behalf that "now operating," as words are employed or used by the Legislature in the proviso applies to their operations, and that it is mandatory upon us to issue to them the contractor's permit as applied for by them, regardless of the consequences that might follow as to all other provisions of the act, and how meaningless they become.

We had supposed that it was our duty to administer this law in such a manner as to give force and effect to all of its provisions, if possible. It seems to us that if we in the discharge of our administrative duties are to carry out the general purpose and intention of the Legislature by the enactment of Chapter 53, as expressly declared by it, then the proviso relied upon by the applicants in this case must of necessity be held not to apply to them or else it must be disregarded. It is inconceivable that the Legislature intended that we should grant a contractor's permit under the facts and circumstances detailed in the record of this case, more especially after charging in the body of the act that it is to be our duty, as it did charge by Section 13 of Article 3, that we "shall take into consideration * * * among other things existing transportation facilities and whether or not there is any real necessity for the service pro-

posed to be rendered, and if it appears from the evidence * * * the service furnished by existing transportation facilities is reasonably adequate and that there is no real need for additional transportation facilities, the Commission shall not grant such permit."

Is the last above quoted, and all other mandatory provisions of the act to be disregarded and rendered nugatory simply because an applicant, one time and another, operated and enjoyed the liberty of using all of the highways of the state for the transportation of property for hire? Is he to have under the proviso here invoked the privilege of invading every other operator's route, and take from him every ounce of profitable traffic, whenever he chooses to do so, regardless of the fact that the Legislature has expressly declared that "the business of operating as a motor carrier for hire is a business affected with a public interest," to be controlled and regulated accordingly?

The expressed purpose of the Legislature by the enactment of Chapter 53, heretofore quoted, we think completely refutes the contention of the applicants that they should, if found to be contract motor carriers, be granted operating rights to use at will all highways of the state, under the proviso, and thus be placed in a position to effectively monopolize control, and destroy, if so disposed, all other trucking operations within the state, regardless of what the effect might be upon others and the public generally.

It is a well established rule of statutory construction, and one laid down and adhered to by our own Supreme Court, that if a proviso offends it may be disregarded and the balance of the act will be enforced.

Higgins vs. Glenn, 65 Utah 406, 237 Pac. 513.

It is also a well-established rule that the language employed should be construed so that it will harmonize with the general purposes of the act, and accomplish the purposes or objects of its enactment.

Price vs. Tuttle, 70 Utah 156, 277 Pac. 1016.

Mr. Justice Gideon, the writer of the opinion for the Supreme Court in the case above cited said:

"In determining the intent of legislation not only the language of the act may be considered, but the purposes and objects sought by the Legislature should be and are considered by the courts in determining the legislative intent. In 25 R. C. L. at page 766, it is said:

" 'There is no universal rule by which directory provisions in a statute may under all circumstances be distinguished from those that are mandatory. In the determination of this question as in every other question of statutory construction, the prime object is to ascertain the legislative intention as disclosed by all the terms and provisions of the act in relation to the subject of legislation and the general objects intended to be accomplished.'

Among other authorities, the same opinion of the Supreme Court quotes from 36 Cyc. 1157 as follows:

" 'Whether a particular statute is mandatory or directory does not depend upon its form but upon the intention of the legislature to be ascertained from a consideration of the entire act, its nature, its object, and the consequences that would result from construing it one way or the other'."

We are not unmindful that under the act now being considered our discretionary powers are quite limited and that the legislature intended them to be, but if in dealing with the application in this case we are to place the technical construction upon the provisions of Chapter 53 that applicants insist we shall for their individual benefit rather than one that might be just and fair to other carriers and the general public, as we have heretofore as an administrative body at least tried to do, then in determining the intent and purpose of the Legislature in passing it we should, in order to be consistent, also reach the conclusion under the facts found in this case that the applicants are not now and never have complied with the provisions of Section 11 of Article 3 of the act heretofore quoted, and therefore we should refuse them as we have all other carriers who have unlawfully deprived the state of its revenues while engaged in using the public highways of the state as carriers for hire failing to report all of their operations and not paying the state road maintenance tax that the act imposes. Taking what we believe was the intent of the Legislature in using the phraseology, "wholly within any city or town of this state" we construed Section 11 to mean and have so held, that it was not intended by the Legislature that simply because ten per cent or only a part of the business operations of an automobile carrier were outside he should be required to pay taxes on the ninety percent conducted over the public highways wholly within the city or town. These applicants' operations afford

an apt illustration of cases of that kind because they have never reported nor paid taxes on the operations within the city, notwithstanding they have not wholly operated therein.

We are not using the foregoing comparison facetiously nor threateningly but in all sincerity and for the sole purpose only of convincing the applicants that, after all, public utility commissioners are sometimes driven to that extremity that they may have in justice and right to use some discretion and exercise just a little common horse sense in arriving at a conclusion as to what the intent and purpose of the legislature was in the enactment of the laws with which they are charged with the duty of administering.

But granting for argument's sake that all we have heretofore said is untenable, we have now come to that which we believe under the evidence must at all events preclude this Commission from granting applicants the Contractor's Permit applied for in this case. As pointed out in our findings, the applicants advertised and held themselves out to be engaged in the transportation business carrying for any and all who might see fit to engage their service. In practice, throughout the years, while they largely specialized as the evidence here shows in transporting particular kinds of property, they never refused to carry for anyone who sought to employ them and pay the rates they charged.

Under the circumstances and by reason of the nature of their operations as detailed by the record here, we believe them to be common motor carriers within the meaning of Chapter 53, Laws of Utah, 1933, and so hold. It must be admitted that Section 13 of Article 3 of the act including the last proviso thereof upon which the applicants say they rely deals with contract carriers only. It has no application to common carriers and no contention is made by the applicants that Section 13 does.

For the reasons assigned, and upon the findings aforesaid, the Commission concludes and decides that the application of Geo. A. Sims and Milton K. Sims, doing business as Salt Lake Transfer Company for a permit to operate as a contract motor carrier of property over any or all the highways of the State of Utah should be, and the same is hereby denied.

In conclusion we wish to thank the Attorneys for the very able briefs and arguments presented in support of the contentions of the respective parties to these proceedings.

The statute involved, hastily passed as it was at the very close of the Legislative session as to some of its provisions certainly needs clarifying and until that is done contentions will arise and the act will be most difficult of administration.

In the instant case, by reason of the contentions of the parties with respect to the obscured meaning of some of the statutory provisions, it has been especially so. In rendering this somewhat elaborate report we have had in mind that another regular session of the Legislature is near at hand. Meanwhile if the administration of the act on our part is not responsive to the will and intent of the Legislature, as we believe it to be, its provisions can be readily amended and clarified.

Anyway, we feel quite certain that under the present practice of the Commission and the discretionary powers that necessarily have to be exercised with respect to the issuance of Temporary Permits under Section 13 of the act, the public interest will be reasonably well subserved, and that too without any serious infringement of the rights of the applicants seeking a permit to operate at will "over and upon all highways and anywhere in the State of Utah."

(Signed) E. E. CORFMAN,
THOS. E. MCKAY,
T. H. HUMPHERYS,

Commissioners.

(Seal)

Attest:

(Signed) F. L. OSTLER, Secretary.

BEFORE THE PUBLIC UTILITIES COMMISSION OF UTAH

In the Matter of the Application of SALT
LAKE TRANSFER COMPANY for a
permit to operate as a contract motor car-
rier of property in intrastate commerce be-
tween Salt Lake City and anywhere in the
State of Utah.

} Case No. 1544

ORDER

By the Commission:

Upon motion of the Applicant,

IT IS HEREBY ORDERED, that the effective date of
the Commission's Order in the above entitled matter, entered

under date of September 27, 1934, be, and the same is hereby extended to March 15, 1935.

Dated at Salt Lake City, Utah, this 29th day of October, 1934.

(Signed) E. E. CORFMAN,
THOS. E. McKAY,
T. H. HUMPHERYS,
Commissioners.

(Seal)

Attest:

(Signed) F. L. OSTLER, Secretary.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF UTAH

In the Matter of the Application of SALT
LAKE TRANSFER COMPANY for a
permit to operate as a contract motor car-
rier of property in intrastate commerce be-
tween Salt Lake City and anywhere in the
State of Utah. } Case No. 1544

ORDER

By the Commission:

Upon motion of the Applicant, and for good cause shown,
IT IS HEREBY ORDERED, that the effective date of
the Commission's Order in the above entitled matter, entered
under date of September 27, 1934, be, and the same is hereby
extended to April 15, 1935.

Dated at Salt Lake City, Utah, this 15th day of March,
1935.

(Signed) E. E. CORFMAN,
THOS. E. McKAY,
T. H. HUMPHERYS,
Commissioners.

(Seal)

Attest:

(Signed) F. L. OSTLER, Secretary.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF UTAH

In the Matter of the Application of SALT
LAKE TRANSFER COMPANY for a
permit to operate as a contract motor car-
rier of property in intrastate commerce be-
tween Salt Lake City and anywhere in the
State of Utah. } Case No. 1544

ORDER

By the Commission:

Under date of October 16, 1934, applicant filed its petition with the Commission for a re-hearing in the above entitled matter, with the further request that the effective date of the Commission's Order entered under date of September 27, 1934, be extended to March 15, 1935. The Commission granted the request of applicant for the extension of the effective date under date of October 29, 1934. Upon further request of applicant, the effective date of the Commission's Order was extended to April 15, 1935.

After full investigation of applicant's petition for a re-hearing, and upon consideration of all matters and things involved, the Commission is of the opinion that the application for re-hearing should be granted.

IT IS THEREFORE ORDERED, that the application herein of Salt Lake Transfer Company for a re-hearing in the above entitled matter be, and the same is hereby granted.

Dated at Salt Lake City, Utah, this 25th day of April, 1935.

(Signed) E. E. CORFMAN,
THOS. E. McKAY,
T. H. HUMPHERYS,
Commissioners.

(Seal)
Attest:

(Signed) F. L. OSTLER, Secretary.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF UTAH

In the Matter of the Application of SALT
LAKE TRANSFER COMPANY for a
permit to operate as a contract motor car-
rier of property in intrastate commerce be-
tween Salt Lake City and anywhere in the
State of Utah. } Case No. 1544

ORDER

By the Commission:

Upon motion of the Applicant, and with the consent of
the Commission,

IT IS ORDERED, that the application of Salt Lake
Transfer Company for a permit to operate as a contract motor
carrier of property in intrastate commerce between Salt Lake
City and anywhere in the State of Utah, be, and the same is
hereby dismissed without prejudice.

Dated at Salt Lake City, Utah, this 2nd day of May,
A. D. 1935.

(Signed) E. E. CORFMAN,
THOMAS E. MCKAY,
T. H. HUMPHERYS,

Commissioners.

(Seal)

Attest:

(Signed) F. L. OSTLER, Secretary.

CASE NO. 1550

In the Matter of the Application of E. H. CURRY and
PAUL GERNAND d/b/a NORTHWESTERN STAGES, for
dissolution of partnership, operation to be assumed by Paul
Gernand. (Supplemental application.)

Submitted: June 13, 1934. Decided: October 8, 1934.

Disposition: Order issued authorizing Paul Gernand as
sole owner to continue operating as a common motor carrier of
passengers and light express under the name of Northwestern
Stages between Salt Lake City and Utah-Idaho State line under
authority of Certificate of Convenience and Necessity No. 416,
via Highways Nos. U. S. 91 and U. S. 30-S, excluding inter-
mediate service between Salt Lake City and Tremonton.

CASE NO. 1553

In the Matter of the Application of W. N. SPAFFORD for a permit to operate as a contract motor carrier of property between Salt Lake City and Sevier County, over and upon Highways Nos. 91 and 89, via Levan, Utah.

Submitted: May 28, 1934. Decided: September 7, 1934.

Disposition: Application denied.

CASE NO. 1556

In the Matter of the Application of ALBERT KOHLER for a permit to operate as a contract motor carrier of property in intrastate commerce between Heber City and Salt Lake City, Utah, over and upon Highways Nos. 91 and 40. (Supplemental application.)

Submitted: June 29, 1934. Decided: August 22, 1934.

Disposition: Supplemental report and order issued amending Contract Carrier Permit No. 66 issued to Albert Kohler under date of May 23, 1934, authorizing him to haul the late edition of the Deseret News to Provo, Utah.

CASE NO. 1558

In the Matter of the Application of NIELS A. LASSEN for a permit to operate as a contract motor carrier of property between Salt Lake City, Utah and Panguitch, Utah, over and upon Highways Nos. 91, 28 and 89.

Submitted: April 18, 1934. Decided: October 11, 1934.

Disposition: Application granted in part, authorizing applicant to transport milk and cream for Nelson-Ricks Creamery Company and Arrow Creamery Company between Panguitch and Salt Lake City under authority of Contract Carrier Permit No. 79.

Order issued May 31, 1935 cancelling and annulling Contract Carrier Permit No. 79.

CASE NO. 1559

In the Matter of the Application of BYRON CARTER for a permit to operate as a contract motor carrier of property in intrastate commerce between Helper, Kenilworth, Mutual, and intermediate points on Highway No. 50, and county roads not numbered.

Submitted: May 9, 1934. Decided: July 21, 1934.

Disposition: Contract Carrier Permit No. 75 issued authorizing applicant to transport property between Helper, Kenilworth, Mutual, and intermediate points for the Rio Grande Motor Way, Inc.; also fresh meats for the Nuckolls Packing Company between Helper, Price, Kenilworth, and Mutual and intermediate points, via U. S. Highway No. 50 and county roads not numbered.

CASE NO. 1569

In the Matter of the Application of REID & HUNSAKER, co-partners, for a permit to operate as a contract motor carrier of property between Delta, Deseret, and Hinckley, Utah, and Salt Lake City, Utah, over Highways Nos. 91 and 26.

Submitted: May 28, 1934. Decided: September 7, 1934.

Disposition: Application granted authorizing applicants to transport property for Continental Oil Company, Delta Cash Market, Pahvant Motor Company, Little Gem Cafe, George Day Store, Bank Hotel, Bonneville Lumber Company, and Utah Oil Company, under authority of Contract Carrier Permit No. 77, between Salt Lake City and Delta, Deseret, and Hinckley, via Highways Nos. U. S. 91 and U-26.

CASE NO. 1572

INTERMOUNTAIN MARBLE COMPANY, Complainant, vs. THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY, Defendant. (Pending.)

CASE NO. 1573

UTAH CITIZENS RATE ASSOCIATION, Complainant, vs. BAMBERGER ELECTRIC RAILROAD COMPANY, et al., Defendants. (Pending.)

BEFORE THE PUBLIC UTILITIES COMMISSION OF UTAH

In the Matter of the Application of UTAH TRANSPORTATION COMPANY, a corporation, for a Certificate of Convenience and Necessity to operate Sight-Seeing lines on Wasatch Boulevard to Saltair Beach and Bingham Canyon from Salt Lake City, Utah.

} Case No. 1577

Submitted: May 28, 1934.

Decided: August 10, 1934.

Appearances:

Beverly S. Clendenin and	}	for
D. Howe Moffatt, Attorneys		the Applicant.
J. M. Christensen, Attorney	}	for Salt Lake Transportation
		Company and Gray Lines.
Dan B. Shields, Attorney	}	for
		Bingham Stage Lines Co., Inc.

REPORT OF THE COMMISSION

By the Commission:

On the 17th day of May, 1934, Utah Transportation Company filed an application with the Public Utilities Commission of Utah for a Certificate of Public Convenience and Necessity, authorizing and permitting it, under the provisions of Chapter 53, Laws of Utah, 1933, to conduct as a Common Motor Carrier of Passengers a sight-seeing business over and upon the following public highways of the State of Utah, to-wit:

"Wasatch Drive from City Creek Canyon to Big Cottonwood Canyon in Salt Lake County,"

"From Salt Lake City south to Thirty-Third South Street, thence West on the State Highway to Black Rock, thence North on the State Highway to Saltair Beach, thence back to Salt Lake City via the Saltair Highway."

"From Salt Lake City south to Midvale on the State Highway, thence West to Bingham Canyon and return to Salt Lake City."

"On the Bingham Highway to the Redwood Road, thence North on the Redwood Road to Thirty-Third South, thence East to Main Street, thence North on Main Street to Salt Lake City."

The application and certain protests made and filed there-to for and in behalf of the Salt Lake Transportation Company and the Bingham Stage Lines, Inc., came on regularly for hearing before the Commission at its office in the State Capitol, after due notice given, on the 17th day of May, 1934.

From the evidence adduced for and in behalf of respective parties, and from the records and files in the case, the Commission now finds as follows:

(1) That the applicant, Utah Transportation Company is a corporation duly organized and existing under and by virtue

of the laws of the State of Utah, with its principal office or place of business at 803 Continental Bank Building, Salt Lake City, Utah, and having for its object or general business purposes, among other things, the conducting of an automobile sight-seeing business in Salt Lake County, Utah, over and upon the highways hereinbefore mentioned and described as an accommodation to tourists and others.

(2) That the protestant, Salt Lake Transportation Company, is a similar corporation organized and existing under the laws of the State of Utah with its principal office and place of business at 40 South West Temple Street, Salt Lake City, Utah, and that it is now and for many years last past has been duly authorized and is now engaged in the sight-seeing business over and upon practically the same highways for which the applicant here seeks a Certificate of Public Convenience and Necessity to operate.

(3) That the Bingham Stage Lines, Inc., is also a corporation under and by virtue of the laws of Utah, and is now and for many years last past has been engaged in the business of a common carrier of passengers over the public highways between Salt Lake City and Bingham Canyon, Utah.

(4) That under certificates heretofore issued by this Commission to the protestant, Salt Lake Transportation Company, its operating rights over the public highway involved herein are limited to the transportation of tourists and for sight-seeing purposes only; that the said protestant has business connections with the Gray Line Association that operates in the principal cities of the United States, and other similar organizations that make a specialty of advertising and the booking of scenic tours; that the said protestant, itself, expends annually large sums of money advertising scenic attractions, situated upon or near the public highways over which it operates in Salt Lake County; that its equipment is adequate to accommodate, and it can and does render convenient and efficient service, at reasonable rates, to all tourists who may feel disposed to avail themselves of its services.

(5) That to some extent the tourist transportation business in Salt Lake City and its environs is developed and acquired through the medium of local advertising and personal solicitation on the part of the carriers, but more extensively developed and acquired by advertising, personal solicitation, and bookings outside of the State of Utah.

During a period, 1930 to and inclusive of 1934, the Salt Lake City Chamber of Commerce, a non-profit, civic organization expended approximately \$22,800.00 for advertising booklets, \$38,000.00 for tourist promotion and \$5,000.00 in furnishing general information to tourists, a sum total of \$65,-800.00, in order that Salt Lake City and its environs might be made attractive to tourists.

(8) The public highways affected by the present application are largely hard surfaced, and are not over-burdened with traffic. Applicant proposes, as a common motor carrier of passengers, to advertise for and solicit and thereby acquire tourist patronage both within and without the State of Utah, for the purpose of sight-seeing tours over the highways herein involved. It proposes to and is financially able to render efficient and dependable transportation service to the visiting tourist at just and reasonable rates if granted a certificate to do so.

Under the provisions of Section 7, Article 2, Laws of Utah, 1933, it is provided among other things:

"If the Commission finds that the applicant is financially unable to properly perform the service sought under the certificate, or that the highway over which he proposes to operate is already sufficiently burdened with traffic, or that the service furnished by existing transportation facilities is reasonably adequate, and is capable of serving the needs and convenience of the public at reasonable rates, the Commission shall not grant such certificate."

The protestant, Salt Lake Transportation Company, by its written brief and argument in this case invokes the last above quoted statutory provision and makes the contention that its service to the public as a tourist transportation agency is fully meeting the needs and convenience of the public, and therefore the application of the Utah Transportation Company herein should be denied. The statute invoked by this protestant, like all statutes of a regulatory nature, are presumed to have been designed and passed by the Legislature in the interest of the public and the State's general welfare.

The public interest, and the general welfare of the State, we believe depends in a very great measure upon the creation of a desire on the part of the tourist to visit Utah and view its wonderful scenic attractions, and places of interest. Such a

desire is created by advertising and by personal solicitation in the manner proposed by the applicant herein, and as now engaged in by the opposing transportation agency, the Salt Lake Transportation Company. The record in this case we think shows conclusively that there can not be too much of it. No one agency should have a monopoly nor can it adequately subserve the public interest in the sight-seeing business in Utah when the business depends so largely upon the activities of the carrier in acquiring it.

It has always been the policy of the Public Utilities Commission to encourage sight-seeing business in this State. What was said by the Commission in the combined cases, P. U. C. U. Nos. 769, 772, 770 and 776, decided July 3, 1925, reported in P. U. C. U. Vol. 8, applies to the facts and circumstances disclosed by the record in the instant case.

Upon the findings aforesaid, and for the reasons stated the Commission concludes and decides that the application of the Utah Transportation Company herein should be granted.

An appropriate Order will follow.

(Signed) E. E. CORFMAN,
THOS. E. McKAY,
T. H. HUMPHERYS,

Commissioners.

(Seal)

Attest:

(Signed) F. L. OSTLER, Secretary.

At a Session of the PUBLIC UTILITIES COMMISSION
OF UTAH, held at its office in Salt Lake City, Utah,
on the 10th day of August, A. D. 1934.

Certificate of Convenience and Necessity No. 420, issued to
Utah Transportation Company.

In the Matter of the Application of UTAH
TRANSPORTATION COMPANY, a
corporation, for a Certificate of Conven-
ience and Necessity to operate Sight-Seeing
lines on Wasatch Boulevard to Saltair
Beach and Bingham Canyon from Salt
Lake City, Utah.

} Case No. 1577

This case being at issue upon application and protests on file, and having been duly heard and submitted by the parties, and full investigation of the matters and things involved hav-

ing been had, and the Commission having, on the date hereof, made and filed a report containing its findings, which said report is hereby referred to and made a part hereof,

IT IS ORDERED, that the application of Utah Transportation Company, a corporation, for a Certificate of Convenience and Necessity to operate sight-seeing lines over and upon the following public highways of the State of Utah, to-wit:

"Wasatch Drive from City Creek Canyon to Big Cottonwood Canyon in Salt Lake County"

"From Salt Lake City south to Thirty-third South Street, thence West on the State Highway to Black Rock, thence North on the State Highway to Saltair Beach, thence back to Salt Lake City via the Saltair Highway"

"From Salt Lake City South to Midvale on the State Highway, thence West to Bingham Canyon and return to Salt Lake City"

"On the Bingham Highway to the Redwood Road, thence North on the Redwood Road to Thirty-third South, thence East to Main Street, thence North on Main Street to Salt Lake City"

be, and it is hereby granted.

ORDERED FURTHER, that the operations of Utah Transportation Company be restricted and confined to the carrying of tourists and others for sight-seeing purposes only.

ORDERED FURTHER, that applicant shall maintain on file with the Commission the necessary insurance and bond as required by law, and a copy of its tariff schedule showing rates, time schedule, rules and regulations, and that it shall operate at all times in accordance with the statutes of the State of Utah and the rules and regulations prescribed by the Public Utilities Commission of Utah governing the operation of common motor carriers over the public highways of the State of Utah, and this order shall be, and is its authority therefor.

By the Commission.

(Signed) F. L. OSTLER, Secretary.

(Seal)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF UTAH

In the Matter of the Application of UTAH
TRANSPORTATION COMPANY, a
corporation, for a Certificate of Conven-
ience and Necessity to operate Sight-Seeing
lines on Wasatch Boulevard to Saltair
Beach and Bingham Canyon from Salt
Lake City, Utah. } Case No. 1577

Submitted: February 8, 1935.

Decided: March 4, 1935.

Appearances:

Beverly S. Clendenin and	}	for
D. Howe Moffat, Attorneys		the Applicant.
J. M. Christensen, Attorney	}	for Salt Lake Transportation
		Co. and Gray Lines.
Dan B. Shields, Attorney	}	for Bingham Stage Lines
		Co., Inc.

REPORT OF THE COMMISSION

By the Commission:

On the 17th day of May, 1934, Utah Transportation Company filed an application with the Public Utilities Commission for a Certificate of Public Convenience and Necessity, authorizing and permitting it, under the provisions of Chapter 53, Laws of Utah, 1933, to conduct as a Common Motor Carrier of Passengers, a sight-seeing transportation business over and upon the following public highways of the State of Utah, to-wit:

"Wasatch Drive from City Creek Canyon to Big Cottonwood Canyon in Salt Lake County."

"From Salt Lake City south to Thirty-third South Street, thence West on the State Highway to Black Rock, thence North on the State Highway to Saltair Beach, thence back to Salt Lake City via the Saltair Highway."

"From Salt Lake City South to Midvale on the State Highway, thence West to Bingham Canyon and return to Salt Lake City."

PUBLIC UTILITIES COMMISSION
OF UTAH

Application of UTAH
TRANSPORTATION
COMPANY, a
Certificate of Conven-
ience to Operate Sight-Seeing
Tourism on Highway to Saltair
Canyon from Salt

Case No. 1577

1935. Decided: March 4, 1935.

and } for
Attorneys } the Applicant.
Counsel } for Salt Lake Transportation
} Co. and Gray Lines.
} for Bingham Stage Lines
} Co., Inc.

OF THE COMMISSION

of May, 1934, Utah Transportation
Company with the Public Utilities Com-
mission of Public Convenience and Necessity,
granting it, under the provisions of Chapter
3, to conduct as a Common Motor
Coach sight-seeing transportation business
along public highways of the State of

from City Creek Canyon to Big Cotton-
wood Lake County."

thence south to Thirty-third South Street,
thence Highway to Black Rock, thence North
to Saltair Beach, thence back to Salt
Lake Highway."

thence City South to Midvale on the State
Highway to Bingham Canyon and return to Salt

"On the Bingham Highway to the Redwood Road, thence
North on the Redwood Road to Thirty-third South, thence
East to Main Street, thence North on Main Street to Salt Lake
City."

Protests to the granting of said application were filed in
behalf of the Salt Lake Transportation Company and the Bing-
ham Stage Lines, Inc. A hearing was held before the Commis-
sion at its office at the State Capitol in Salt Lake City, Utah,
after due notice given, on the 28th day of May, 1934, and
thereafter on the 10th day of August, 1934, the Commission
rendered its Report and Order granting the application. On the
17th day of August, 1934, the Protestant, Salt Lake Trans-
portation Company filed an application for re-hearing wherein
it was alleged among other things that "facts and circumstances
have arisen since the prior hearing herein which should be called
to the attention of your Honorable Body and considered in con-
nection with this cause." A re-hearing was granted which came
on regularly before the Commission at its office in Salt Lake
City, on the 8th day of February, 1935, it being agreed and
understood by the respective parties that the Commission shall
consider for the purpose of rendering its Report and Order on
Rehearing of this matter the evidence produced at the original
hearing, as well as any new facts that may have been developed
for the record.

From the admitted facts as shown by the records and
files herein, and from the evidence adduced for and in behalf
of the respective parties, the Commission now reports and or-
ders as follows:

(1) That the applicant, Utah Transportation Company,
is a corporation duly organized and existing under and by
virtue of the laws of the State of Utah, with its principal office
or place of business at 803 Continental Bank Building, Salt
Lake City, Utah, and having for its object or general business
purposes, among other things, the conducting of an automobile
sight-seeing business in Salt Lake County, Utah, over and upon
the highways hereinbefore mentioned and described as an ac-
commodation to tourists and others. The applicant also main-
tains a branch business office in the lobby of the New Grand
Hotel, and on the corner of Richards Street and South Temple
Street.

(2) That the protestant, Salt Lake Transportation Company is a similar corporation organized and existing under the laws of the State of Utah with its principal office and place of business at 40 South West Temple Street, Salt Lake City, Utah, and that it is now and for many years last past has been duly authorized and is now engaged in the sight-seeing business over and upon practically the same highways for which the applicant here seeks a Certificate of Public Convenience and Necessity to operate.

(3) That the Bingham Stage Lines, Inc., is also a corporation under and by virtue of the laws of Utah, and is now and for many years last past has been engaged in the business of a common carrier of passengers over the public highways between Salt Lake City and Bingham Canyon, Utah.

(4) That under certificate heretofore issued by this Commission to the protestant, Salt Lake Transportation Company, its operating rights over the public highways involved herein are limited to the transportation of tourists and for sight-seeing purposes only; that the said protestant has business connections with the Gray Line Association that operates in the principal cities of the United States, and other similar organizations that make a specialty of advertising and the booking of scenic tours; that the said protestant, itself, expends annually large sums of money advertising scenic attractions, situated upon or near the public highways over which it operates in Salt Lake County; that its equipment is adequate to accommodate, and it can and does render convenient and efficient service, at reasonable rates, to all tourists who may feel disposed to avail themselves of its service.

(5) That to some extent the tourist transportation business in Salt Lake City and its environs is developed and acquired through the medium of local advertising and personal solicitation on the part of the carriers, but more extensively developed and acquired by advertising, personal solicitation, and bookings outside of the State of Utah.

During a period, 1930 to and inclusive of 1934, the Salt Lake City Chamber of Commerce, a non-profit civic organization expended approximately \$22,800.00 for advertising booklets, \$38,000.00 for tourist promotion and \$5,000.00 in furnishing general information to tourists, a sum total of \$65,800.00, in order that Salt Lake City and its environs might be made attractive to tourists.

(8) The public highways affected by the present application are largely hard surfaced, and are not over-burdened with traffic. Applicant proposes, as a common motor carrier of passengers, to advertise for and solicit and thereby acquire tourist patronage both within and without the State of Utah, for the purpose of sight-seeing tours over the highways herein involved. It proposes to and is financially able to render efficient and dependable transportation service to the visiting tourist at just and reasonable rates if granted a certificate to do so.

Under the provisions of Section 7, Article 2, laws of Utah, 1933, it is provided among other things:

"If the Commission finds that the applicant is financially unable to properly perform the service sought under the certificate, or that the highway over which he proposes to operate is already sufficiently burdened with traffic, or that the service furnished by existing transportation facilities is reasonably adequate, and is capable of serving the needs and convenience of the public at reasonable rates, the Commission shall not grant such certificate."

The protestant, Salt Lake Transportation Company, by its written brief and argument in this case invokes the last above quoted statutory provision and makes the contention that its service to the public as a tourist and sight-seeing transportation agency is adequate and fully meeting the needs and convenience of the public, and therefore the application of the Utah Transportation Company herein should be denied. The statute invoked by this protestant, like all statutes, of a regulatory nature, are presumed to have been designed and passed by the Legislature in the interest of the public and the state's general welfare, and should be interpreted and construed accordingly.

The public interest, and the general welfare of the State, we believe, depends in a very great measure upon the creation of a desire on the part of the tourist to visit Utah and view its wonderful scenic attractions and places of interest. Such a desire is created and attended with results by advertising and by personal solicitation in the manner proposed by the applicant herein, and as now engaged in by the opposing transportation agency, the Salt Lake Transportation Company. The record in this case we think shows conclusively that there can not be too much of it. As yet, Utah's scenic attractions and places of interest are not half advertised. No one agency should

have a monopoly nor can it adequately subserve the public interest in the sight-seeing business in Utah when the business depends so largely upon the activities of the carrier in acquiring it.

For the purpose of rendering a tourist and sight-seeing business over the highways involved herein, the protestant, Salt Lake Transportation Company was granted a Certificate of Public Convenience and Necessity by the Public Utilities Commission of Utah, July 3, 1925, and has since continued to render the service upon scheduled time, and at fixed charges. The applicant's service over the same highways has also been rendered on scheduled time, and at the same fixed charges of the Salt Lake Transportation Company. The sight-seeing service is largely seasonal during the summer months. Both agencies have acquired their patronage through advertising, by personal solicitation, and through contact with Eastern tourist booking agencies.

It has always been the policy of the Public Utilities Commission to encourage sight-seeing business in this State. What was said by the Commission in the combined cases, P. U. C. U. Nos. 769, 772, 770 and 776, decided July 3, 1925, reported in P. U. C. U. Vol. 8, applies to the facts and circumstances disclosed by the record in the instant case.

Upon the findings aforesaid, and for the reasons stated, the Commission concludes and decides that the application of the Utah Transportation Company herein should be granted.

An appropriate order will follow.

(Signed) E. E. CORFMAN,
THOS. E. McKAY,
T. H. HUMPHERYS,
Commissioners.

(Seal)

Attest:

(Signed) F. L. OSTLER, Secretary.

At a Session of the PUBLIC UTILITIES COMMISSION
OF UTAH, held at its office in Salt Lake City, Utah,
on the 4th day of March, A. D. 1935.
(On Rehearing)

In the Matter of the Application of UTAH
TRANSPORTATION COMPANY, a
corporation, for a Certificate of Conven-
ience and Necessity to operate Sight-Seeing
lines on Wasatch Boulevard to Saltair
Beach and Bingham Canyon from Salt
Lake City, Utah. } Case No. 1577

CERTIFICATE OF CONVENIENCE AND NECESSITY
No. 432

This case being at issue upon application and protests on file, and having been duly heard and submitted by the parties, and full investigation of the matters and things involved having been had, and the Commission having, on the date hereof, made and filed a report containing its findings, which said report is hereby referred to and made a part hereof,

IT IS ORDERED, that the application of Utah Transportation Company, a corporation, for a Certificate of Convenience and Necessity to operate sight-seeing lines over and upon the following public highways of the State of Utah, to-wit:

"Wasatch Drive from City Creek Canyon to Big Cottonwood Canyon in Salt Lake County"

"From Salt Lake City South to Thirty-third South Street, thence West on the State Highway to Black Rock, thence North on the State Highway to Saltair Beach, thence back to Salt Lake City via the Saltair Highway"

"From Salt Lake City South to Midvale on the State Highway, thence West to Bingham Canyon and return to Salt Lake City"

"On the Bingham Highway to the Redwood Road, thence North on the Redwood Road to Thirty-third South, thence East to Main Street, thence North on Main Street to Salt Lake City," be and is hereby granted.

ORDERED FURTHER, that the operations of Utah Transportation Company be restricted and confined to the carrying of tourists and others for sight-seeing purposes only.

ORDERED FURTHER, that applicant shall maintain on file with the Commission the necessary insurance and bond as required by law, and a copy of its tariff schedule showing rates, time schedule, rules and regulations, and that it shall operate at all times in accordance with the statutes of the State of Utah and the rules and regulations prescribed by the Public Utilities Commission of Utah governing the operation of common motor carriers over the public highways of the State of Utah, and this order shall be, and is its authority therefor.

By the Commission.

(Signed) F. L. OSTLER, Secretary

(Seal)

CASE NO. 1578

In the Matter of the Application of CAMPBELLS TRANSFER AND STORAGE for a permit to operate as a contract motor carrier of property in intrastate commerce between Price, Utah and Salt Lake City, Utah, over Highways Nos. U. S. 50 and U. S. 91.

Submitted: June 13, 1934.

Decided: September 28, 1934

Disposition: Application granted authorizing applicant to transport property between Salt Lake City and Price, Utah, via Highways Nos. U. S. 91 and 50 for Safeway Stores, Piggly Wiggly, Redd Motor Company, Consolidated Wagon & Machine Company, and Johnson and Vaught, all of Price, Utah, under authority of Contract Carrier Permit No. 78.

CASE No. 1579

In the Matter of the Application of MARTIN I. BLACK for a permit to operate as a contract motor carrier of property in intrastate commerce between Price and Huntington, Utah, over Highway No. 10.

Submitted: June 13, 1934.

Decided: July 6, 1934.

Disposition: Application amended, on motion of applicant, for a certificate of convenience and necessity instead of a contract carrier permit. Application granted under authority of

Certificate of Convenience and Necessity No. 419, authorizing applicant to operate as a common motor carrier of property between Price and Huntington, Utah, via U-10.

CASE No. 1580

In the Matter of the Application of WILSON & TRUAX for a license to operate as a common motor carrier of property in interstate commerce between Salt Lake City, Utah and Western Colorado, over and upon Highways Nos. 91 and 50.

Submitted: July 2, 1934.

Decided: August 10, 1934.

Disposition: Application granted under authority of interstate Carrier License No. 61, authorizing applicants to operate as a common motor carrier of property in interstate commerce between Salt Lake City and the Utah-Colorado Line, via Highways Nos. U. S. 91 and 50.

CASE No. 1582

In the Matter of the Application of KERMIT TOOLSON for a permit to operate as a contract motor carrier of property between Devils Slide and Smithfield, Utah, over and upon Highways Nos. 91, 30, and 37.

Disposition: Order issued July 6, 1934 dismissing application without prejudice.

CASE No. 1583

In the Matter of the Application of ALFRED L. HAHN, d/b/a ALFRED HAHN TRUCK, for a license to operate as a contract motor carrier of property in interstate commerce between Salt Lake City and Ogden, Utah and St. Anthony, Idaho, via Highways Nos. 41 and 91.

Disposition: Order issued October 23, 1934 dismissing application without prejudice.

CASE No. 1584

In the Matter of the Application of S. W. McANALLY for a license to operate as a contract motor carrier of property between Salt Lake City and the Utah-Arizona State Line, enroute to Los Angeles, California, over Highway No. 91.

Disposition: Order issued October 22, 1934 dismissing application without prejudice.

CASE No. 1585

In the Matter of the Application of J. GUY GLEED for a license to operate as a common motor carrier of passengers between Malad, Idaho and Logan, Utah, over and upon Highways Nos. 91 and U-41.

Submitted: July 16, 1934.

Decided: August 17, 1934.

Disposition: Application denied.

CASE No. 1586

In the Matter of the Application of JOSEPH J. MILNE TRUCK LINE, INC., a corporation, for a certificate of convenience and necessity to operate an automobile freight truck line between Salt Lake City and Santa Clara, Utah, and certain intermediate points.

Submitted: July 2, 1934.

Decided: September 24, 1934.

Disposition: Certificate of Convenience and Necessity No. 423 issued authorizing applicant to operate as a common motor carrier of property between Salt Lake City and Santa Clara, Utah, and intermediate points, excluding local service between Salt Lake City and Cedar City, but including local service between Cedar City and Santa Clara, Utah, and intermediate points, via U. S. Highway No. 91.

CASE No. 1587

In the Matter of the Application of LAURENCE HARMON for a permit to operate as a contract motor carrier of property between Logan, Utah and Salt Lake City, Utah, over and upon U. S. Highway No. 91.

Disposition: Application dismissed without prejudice by order dated July 25, 1934.

BEFORE THE PUBLIC UTILITIES COMMISSION OF
UTAH

In the Matter of the Application of L. J. LITTLE for a Certificate of Convenience and Necessity to operate as a common motor carrier of property between Marysville and Kanab and Cedar City and Kanab, Utah, over and upon Highways Nos. 91, 89, and U-15. } Case No. 1588

Submitted: July 16, 1934.

Decided: December 6, 1934.

Appearances

L. J. Little	} for
	} Himself.
B. R. Howell, Attorney	} for The Denver & Rio Grande
	} Western Railroad Company.
C. I. Gallacher	} for the Rio Grande
	} Motorway, Inc.

REPORT AND ORDER OF THE COMMISSION

By the Commission:

Under date of June 26, 1934, application was filed with the Public Utilities Commission of Utah by L. J. Little for a Certificate of Convenience and Necessity to operate as a common motor carrier of property between Marysville and Kanab, and Cedar City and Kanab, Utah. This matter came on regularly for hearing before the Commission at Salt Lake City, Utah, on July 16, 1934, after due and legal notice given to interested parties.

From the evidence adduced for and in behalf of interested parties, the Commission makes the following findings:

That applicant, L. J. Little, with Post Office address Kanab, Utah, desires a Certificate of Convenience and Necessity to operate as a common motor carrier of property between Marysville and Kanab, Utah, on the one hand, and between Cedar City and Kanab, Utah, on the other hand, over and upon Highways Nos. U. S. 91 and 89 and U-15.

That applicant has been engaged in the retail merchandise business at Kanab, Utah, and has hauled the merchandise to be sold in his store, and in connection with this hauling has trans-

ported some property for hire for others; that applicant now is interested in a store at Fredonia, Arizona, and that he proposes to make trips at such times as are necessary to haul merchandise for his store at Fredonia, in connection with which he would haul property for hire for other parties.

That in accordance with the provisions of Chapter 53, Laws of Utah, 1933, applicant filed a financial statement showing assets of \$1200.00, liabilities of \$600.00, leaving net assets of \$600.00; and a schedule of equipment showing one Chevrolet, 1934 model, 3-ton truck, purchased at an original cost of \$1200.00 and having an appraised value of \$700.00 on June 26, 1934.

That at the date of the hearing, applicant had not made reports to the Commission of property transported for hire by him, nor paid the state road maintenance tax on the same, but that subsequent to the hearing, applicant filed an estimated report of property transported for hire by him for the period from June 1, 1931 to June 30, 1934; that applicant has on file with the Commission liability and property damage insurance, cargo insurance, and a bond to guarantee the payment of the state road tax.

That Petty and Lunt, Inc. operate as a common motor carrier of property between Cedar City and Kanab under authority of Certificate of Convenience and Necessity No. 371 issued by the Commission in Case No. 1186.

That the protestant, Rio Grande Motorway, Inc. operates as a common motor carrier of property and passengers between Salt Lake City and Marysvale, Utah, under authority of Certificate of Convenience and Necessity No. 401 issued by the Commission in Case No. 1294.

That protestant, George R. Adair operates as a contract motor carrier of property between Salt Lake City and Kanab, Utah, under authority of contract carrier permit No. 13 issued by the Commission in Case No. 1356.

That it appears to the Commission from the record in this case that the applicant does not propose to render a service which would be particularly beneficial or convenient for the shipping public in that applicant does not propose to render a regular

service, but to operate only when he has merchandise to haul for the store in Fredonia, Arizona, in which he is interested, and then to haul only such property as he may be able to handle in connection with his own property.

From the foregoing findings, the Commission concludes and decides that the application should be denied.

IT IS THEREFORE ORDERED, that the application herein of L. J. Little for a Certificate of Convenience and Necessity to operate as a common motor carrier of property between Marysvale and Kanab and Cedar City and Kanab, Utah, over and upon Highways Nos. 91, 89, and U 15 be, and it is hereby denied.

ORDERED FURTHER, that applicant shall cease and desist from operating for hire over the public highways of the State of Utah until further order by the Commission.

(Signed) E. E. CORFMAN

THOMAS E. MCKAY

T. H. HUMPHREYS

Commissioners.

(Seal)

Attest:

(Signed) F. L. OSTLER

Secretary

CASE No. 1589

In the Matter of the Application of HAROLD HANSEN for a permit to operate as a contract motor carrier of property between Charleston, Wallsburg, Heber City, Midway, and Provo, Utah, over and upon Highways Nos. U-7, 52, and 91.

Submitted: July 16, 1934.

Decided: August 22, 1934.

Disposition: Application granted authorizing applicant to transport cream from Heber City, Charleston, and Wallsburg for various dairymen to the Timpanogos Creamery at Provo, Utah, feed and other property from Provo to Wallsburg for dairymen at Wallsburg and feed from Provo to Charleston for dairymen at Charleston, under authority of Contract Carrier Permit No. 76.

BEFORE THE PUBLIC UTILITIES COMMISSION OF
UTAH

In the Matter of the Application of NAT-
IONAL BUS LINES, INC., for a li-
cense to operate as a common motor car-
rier of passengers and baggage in interstate
commerce between Salt Lake City, Utah,
and Utah-Nevada Line, enroute to San
Francisco, Calif., over U. S. 40 } Case No. 1590

Submitted: July 16, 1934.

Decided: October 19, 1934.

Appearances:

Earl A. Bagby, Attorney	}	for
		Applicant.
George H. Smith, Robert B. Porter, and W. Hal Fall, Attorneys	}	for Union Pacific System.
B. R. Howell, Attorney.		for
	}	D. & R. G. W. R. R. Co.
John E. Pixton, Attorney		for
	}	Lewis Bros. Stages.
H. C. Lucas, Attorney		for
	}	Pacific-Greyhound Lines.
Bagley, Judd & Ray, Attorneys		for
	}	Southern Pacific Co.

REPORT AND ORDER OF THE COMMISSION

By the Commission:

On the 25th day of June, 1934, the National Bus Lines, Inc., filed with the Public Utilities Commission of Utah its application for a license under the provisions of Chapter 53, Laws of Utah, 1933, to operate as a common motor carrier of passengers and baggage in interstate commerce between Salt Lake City, Utah, and San Francisco, California over and upon highway designated and known as U. S. 40.

The application came on regularly for hearing before the Commission at its office in the State Capitol, after due notice given, on the 16th day of June, 1934, at which time a number of protests to the granting of the license were made in behalf of carriers affected by and using the same highway as that applied for by the applicant, principally upon the ground that the applicant had not complied with the provisions of the "Code of Fair Competition for the Motor Bus Industry", approved by the President of the United States, Oct. 31, 1933, particularly with paragraph 6, of section 1, Article VII thereof, which provides:

"Passenger motor carriers establishing any new bus operations or extending any motor bus operation after the date of the approval of this code shall secure therefor a Certificate of Convenience and Necessity, or permit from each and every state in which such operation is conducted, authorizing intrastate transportation along the route or routes of such new operation, or extension of existing operation, * * * "

On the 10th day of July, 1933, the Legislature of the State of Utah convened in special session, at Salt Lake City, pursuant to call of the Governor of the State, and on the 20th day of July, 1933, passed an Industrial Recovery Act, which became effective on the 31st day of July, 1933 (Chapter 21, Laws of the State of Utah, 1933, Second Special Session), wherein the policy of the State was declared to be in accord with the policy of the President of the United States and the agencies set up by him, under the provisions of the Act of Congress known as the "National Industrial Recovery Act." the purpose and intent of the Legislature being more specifically declared by section 1 of said Chapter 21, which reads:

"A National and State emergency, productive of widespread unemployment and disorganization of industry, which burdens interstate and intrastate commerce affects the public welfare and undermines the standards of living of the American people, is hereby declared to exist. It is hereby declared to be the policy of the Legislature to remove obstructions to the free flow of interstate and intrastate commerce, which tends to diminish the amount thereof; and to provide for the general welfare by promoting the organization of industry for the purpose of co-operative action among trade groups; to induce and maintain united action of labor and management under adequate state sanction and supervision; to eliminate unfair competitive practices; to provide the fullest possible utilization of the present productive practices of industries; * * * "

It is frankly admitted by the applicant here that it has not heretofore, and does not now, nor hereafter, intend to comply with the provision of the national "Code of Fair Competition for the Motor Bus Industry," first above quoted; the

applicant herein does not seek a Certificate of Convenience and Necessity authorizing it to operate in intrastate commerce, as a motor carrier of passengers over the highways of the State of Utah, and asserts it has no intention of so doing. That being true, we can arrive at no other conclusion than that its application should be denied.

WHEREFORE, IT IS ORDERED that the application of the National Bus Lines, Inc., for a license to operate in interstate commerce over the highways of the State of Utah as a common motor carrier of passengers and baggage, be and the same is hereby denied.

PUBLIC UTILITIES COMMISSION OF UTAH,

(Signed) E. E. CORFMAN,
THOS. E. MCKAY,
T. H. HUMPHERYS,

Commissioners.

(Seal)

Attest:

(Signed) F. L. OSTLER, Secretary.

CASE NO. 1591

In the Matter of the Application of LYLE BLAKELY for a permit to operate as a contract motor carrier of property in intrastate commerce between Ogden and Coalville, Utah, over and upon Highways Nos. 30 and 530.

Disposition: Order issued July 25, 1934 dismissing application without prejudice.

CASE NO. 1592

In the Matter of the Application of COMET MOTOR EXPRESS COMPANY for a license to operate as a common motor carrier of passengers and property in interstate commerce between Salt Lake City and Craig, Colorado, over and upon U. S. Highway No. 40.

Disposition: Order issued July 25, 1934 dismissing application without prejudice.

CASE NO. 1593

In the Matter of the Application of JAMES OSCAR CHILD for a permit to operate as a contract motor carrier of

passengers and property in intrastate commerce between Price, Elmo, Cleveland, Huntington, Castledale, Orangeville, Clawson, Ferron, Rochester and Emery, Utah.

Disposition: Order issued August 22, 1934 dismissing application without prejudice.

CASE NO. 1594

In the Matter of the Application of LYLE BRINGHURST for a certificate of convenience and necessity to operate as a common motor carrier of property in intrastate commerce between Marysvale and Kanab, Utah and intermediate points, and Alton, over U. S. Highway No. 89 and U-11.

Submitted: August 6, 1934. Decided: December 31, 1934.

Disposition: Certificate of Convenience and Necessity No. 425 issued authorizing applicant to operate as a common motor carrier of property in intrastate commerce between Marysvale and Kanab, Utah, and intermediate points, including Alton, but excluding local service for the transportation of property other than mail between Marysvale and Panguitch, via Highways Nos. U. S. 89 and U-11.

CASE NO. 1595

In the Matter of the Application of J. M. SCHWENDEMAN for a permit to operate as a contract motor carrier of property in intrastate commerce between Lake Shore and Provo, Utah, over and upon Highway No. 91 and county road.

Submitted: September 13, 1934. Decided: Nov. 19, 1934.

Disposition: Contract Carrier Permit No. 80 issued authorizing applicant to transport milk and cream and empty containers between Lake Shore and Provo, via U. S. 91 and county road, for dairy farmers selling their products to Utah-Wasatch Dairy.

CASE NO. 1596

In the Matter of the Application of LEO M. BANKS for a permit to operate as a contract motor carrier of property in intrastate commerce between Palmyra and Lake Shore and Provo, Utah, over and upon Highway No. 91.

Submitted: September 13, 1934. Decided: May 29, 1935.

Disposition: Contract Carrier Permit No. 104 issued authorizing applicant to transport milk and cream and empty containers between Palmyra, Lakeshore, and Provo, Utah, via U. S. 91 and county road, for dairy farmers selling their products to Utah-Wasatch Dairy.

CASE NO. 1597

In the Matter of the Application of WILLIAM H. HENLINE for a permit to operate as a contract motor carrier of property in intrastate commerce between Heber City and Provo, Utah, over and upon Highways Nos. 7 and 40.

Submitted: August 15, 1934. Decided: Feb. 19, 1935.

Disposition: Contract Carrier Permit No. 85 issued authorizing applicant to transport milk and empty containers between Charleston, Midway, and Provo, Utah, via Highway No. U-7 for dairy farmers selling their products to Utah-Wasatch Dairy.

CASE NO. 1598

In the Matter of the Application of L. J. HOWE for a permit to operate as a contract motor carrier of property in intrastate commerce between Heber City, Utah, Wasatch County, and Provo, Utah, over and upon Highways Nos. 7 and 40.

Submitted: August 15, 1934. Decided: May 29, 1935.

Disposition: Contract Carrier Permit No. 103 issued authorizing applicant to transport milk and cream from Heber, Daniels Creek, and Center Creek, Utah to Utah-Wasatch Dairy at Provo, and return of empty containers, via Highways Nos. U. S. 40, U-7 and a county road.

CASE NO. 1599

In the Matter of the Application of J. J. SKINNER for a permit to operate as a contract motor carrier of property in intrastate commerce between Lehi, Utah and Provo, Utah, over and upon Highway No. 91. (Pending.)

CASE NO. 1600

In the Matter of the Application of WALTER BUTLER for a permit to operate as a contract motor carrier of property in intrastate commerce between Payson, Utah and Provo, Utah, over and upon Highway No. 91. (Pending.)

CASE NO. 1601

In the Matter of the Application of A. BARLOW for a permit to operate as a contract motor carrier of property in intrastate commerce between Centerfield, Sanpete and Juab Counties, and Provo and Salt Lake City, Utah, over Highways Nos. 89, 189, and 91.

Disposition: Order issued March 22, 1935 dismissing application without prejudice.

CASE NO. 1602

In the Matter of the Application of H. E. WILLIAMS for a permit to operate as a contract motor carrier of property in intrastate commerce between Benjamin and Provo, Utah, over and upon Highway No. 91.

Disposition: Order issued September 27, 1934 dismissing application without prejudice.

CASE NO. 1603

In the Matter of the Application of COMET MOTOR EXPRESS COMPANY for a certificate of convenience and necessity to operate as a common motor carrier of passengers in intrastate commerce between Salt Lake City and the Utah-Colorado State line, excluding all local service between Salt Lake City and Vernal, Utah, over U. S. Highway No. 40.

Submitted: August 15, 1934. Decided: Sept. 28, 1934.

Disposition: Certificate of Convenience and Necessity No. 424 issued authorizing applicant to operate as a common motor carrier of passengers in intrastate commerce between Salt Lake City, Utah and Utah-Colorado State line, excluding local service between Salt Lake City and Vernal, Utah, via U. S. Highway No. 40; also to transport United States Mail from Salt Lake City to points between Salt Lake City and Vernal via U. S. Highway No. 40.

CASE NO. 1604

In the Matter of the Application of COMET MOTOR EXPRESS COMPANY for a license to operate as a common motor carrier of passengers and property between Salt Lake City, Utah and Craig, Colorado, over and upon U. S. Highway No. 40.

Submitted: August 15, 1934. Decided: Sept. 28, 1934.

Disposition: Interstate Carrier License No. 64 issued authorizing applicant to operate as a common motor carrier of passengers and property in interstate commerce between Salt Lake City, Utah and the Utah-Colorado State line, via U. S. Highway No. 40.

CASE NO. 1605

In the Matter of the Application of ARIZONA-UTAH STAGES, INC., for a certificate of convenience and necessity to operate as a common motor carrier of passengers and light express in intrastate commerce, between the Utah-Arizona State line and Salt Lake City, Utah, over and upon Highways Nos. U. S. 91, U-28 and U. S. 89.

Submitted: August 21, 1934. Decided: Oct. 3, 1934.

Disposition: Certificate of Convenience and Necessity No. 426 issued authorizing applicant to operate as a common motor carrier of passengers and light express in intrastate commerce between Utah-Arizona State line and Salt Lake City, Utah, via Highways Nos. U. S. 89, U-28 and U. S. 91, excluding local service between Marysville and Salt Lake City; express packages limited not to exceed eight cubic feet in size, fifty pounds in weight, and an amount which can be carried with safety and convenience to passengers in an ordinary passenger bus.

CASE NO. 1606

In the Matter of the Application of the UTAH PARKS COMPANY, a corporation, to transfer to the INTERSTATE TRANSIT LINES, a corporation, and the INTERSTATE TRANSIT LINES to take over the operative rights, certificate and franchise of the Utah Parks Company to operate as a common carrier of passengers, baggage and express between Lund, Utah and Cedar City, Utah.

Submitted: August 15, 1934. Decided: Sept. 6, 1934.

Disposition: Application granted under authority of Certificate of Convenience and Necessity No. 421.

CASE NO. 1607

In the Matter of the Application of F. A. SCHIELE for a license to operate as a common motor carrier of property in interstate commerce between Salt Lake City, Utah and the Utah-

Idaho State line enroute to Pocatello, Idaho, over U. S. Highway No. 91, Utah 41, and U. S. 30-S.

Submitted: August 30, 1934. Decided: Oct. 11, 1934.

Disposition: Application granted under authority of Interstate Carrier License No. 65.

CASE No. 1608

In the Matter of the Application of J. D. BRINKERHOFF and FLOYD BRINKERHOFF for a certificate of convenience and necessity authorizing the operation of a common carrier freight line between Price and Emery, Utah, excluding local service between Price and Huntington, over and upon State Highway No. 10.

Submitted: August 30, 1934. Decided: October 11, 1934.

Disposition: Certificate of Convenience and Necessity No. 427 issued authorizing applicants to operate as a common motor carrier of property between Price and Emery, Utah, via State Highway No. 10, excluding local service between Price and Huntington, Utah.

CASE No. 1609

In the Matter of the Application of IVAN YOUNG for a permit to operate as a contract motor carrier of property in intrastate commerce between Provo and Price, Provo and Nephi, Salt Lake City and Ogden for the Provo Foundry only, over Highways Nos. 91, 30-S and 50.

Submitted: August 30, 1934. Decided: Nov. 8, 1934.

Disposition: Application denied.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF UTAH

In the Matter of the Application of the OREGON SHORT LINE RAILROAD COMPANY, a corporation, for permission to continue the operation of its station at Collinston, Utah, as an agency station. } Case No. 1610

Submitted: September 14, 1934. Decided: October 19, 1934.

Appearances:

Robert B. Porter, Attorney } for
O. S. L. R. R. Co.

REPORT AND ORDER OF THE COMMISSION

By the Commission:

Under date of August 9, 1934, an application was filed with the Public Utilities Commission of Utah by the Oregon Short Line Railroad Company, a corporation, for permission to discontinue the operation of its station at Collinston, Utah, as an agency station. This matter came on regularly for hearing before the Commission, after due and legal notice given to interested parties, at Dewey, Box Elder County, Utah, on Friday, the 14th day of September, 1934. Proof of publication of notice of hearing was filed with the Commission and made a part of the record. There were no protests filed to the granting of the application.

From the evidence presented, and admitted of record, the Commission makes the following findings:

That applicant, Oregon Short Line Railroad Company, is a corporation, organized under and existing by virtue of the laws of the state of Utah with its corporate office in Salt Lake City, Utah, and that applicant is a common carrier by rail within the meaning of the Public Utility Laws of the State of Utah, and is a part of the Union Pacific Railroad System; that applicant operates a main line of railroad out of Salt Lake City via Ogden and through Box Elder County to points in other states, and on said main line is situated the town of Collinston in Box Elder County, Utah, where applicant has maintained an agency station for the accommodation of the shipping public.

In the present application, permission is requested from the Commission to discontinue the operation of the Collinston station as an agency station. The record in the case shows that the expense of operating said station as an agency station is in excess of \$1,600.00 per year, and the revenues derived from the operation of said station do not justify the expense of maintaining an agent at said station. The principal business done at the Collinston station consists of a very limited number of carload shipments which can be handled without serious inconvenience to the shipping public without maintaining an agent at said station.

The record in the case shows that to maintain an agency station at Collinston is an undue burden upon the applicant, and the conclusion is therefore reached that the application should be granted.

IT IS THEREFORE ORDERED, that the application herein of the Oregon Short Line Railroad Company, a corporation, for permission to discontinue the operation of its station at Collinston, Utah, as an agency station be, and the same is hereby granted.

ORDERED FURTHER, that applicant shall afford reasonable facilities and conveniences for the shipping public in the handling of carload shipments in and around Collinston, Utah.

(Signed) E. E. CORFMAN,
THOS. E. McKAY,
T. H. HUMPHERYS,

Commissioners.

(Seal)

Attest:

(Signed) F. L. OSTLER, Secretary.

CASE No. 1611

In the Matter of the Application of DON PETERSON and DOUGLAS JONES, d/b/a DON & DOUG DRAY & EXPRESS for a permit to operate as a contract motor carrier of property in intrastate commerce between Salt Lake City and Park City, Utah, over and upon Highway No. 40.

Disposition: Order issued September 14, 1934, dismissing application without prejudice.

CASE No. 1612

In the Matter of the Application of RAY LILENQUIST, d/b/a the UTAH CALIFORNIA MOTOR LINES, for a license to operate as a common motor carrier of property in interstate commerce between Salt Lake City, Utah, and the Utah-Idaho State line, over and upon Highways Nos. 91 and 41.

Submitted: August 30, 1934. Decided: Dec. 6, 1934.

Disposition: Interstate Carrier License No. 66 issued authorizing applicant to operate as a common motor carrier of property in interstate commerce between Salt Lake City, Utah and the Utah-Idaho State Line, via U. S. Highway No. 91 and Utah Highway No. 41, via either the Cache Valley Route or the Bear River Valley Route.

CASE No. 1613

In the Matter of the Application of JOE O'BERTO for a permit to operate as a contract motor carrier of property (U. S. Mail) between Helper and Rains, Utah, and Helper and Kenilworth, Utah, over county roads.

Submitted: February 27, 1935. Decided: May 20, 1935.

Disposition: Contract Carrier Permit No. 93 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail between Helper, Utah and Rains and Kenilworth, Utah, over county roads.

CASE NO. 1614

In the Matter of the Application of A. P. HEMMINGSEN for a permit to operate as a contract motor carrier of mail only between Lark and Revere, Utah, over and upon county road not numbered. (Pending.)

CASE NO. 1615

In the Matter of the Application of WAYNE ELDRIDGE JOHNSTON for a permit to operate as a contract motor carrier of passengers and property in intrastate commerce between Cisco, Utah and Castleton, Utah, over and upon secondary state highway not numbered. (Pending.)

CASE NO. 1616

In the Matter of the Application of AXEL ELM for a permit to operate as a contract motor carrier of property (U. S. Mail) between Bear River City, Utah and Honeyville, Utah, via county highway not numbered.

Submitted: March 7, 1935. Decided: April 30, 1935.

Disposition: Application dismissed without prejudice.

CASE NO. 1617

In the Matter of the Application of PETER McKELLAR for a permit to operate as a contract motor carrier of property (U. S. Mail) between Wendover, Utah and Gold Hill, Utah, over unnumbered highway. (Pending.)

CASE NO. 1618

In the Matter of the Application of WILLIAM RAY NIELSON for a permit to operate as a contract motor carrier of property in intrastate commerce between Richfield and Anabella, Utah, over and upon Highway No. 89. (Pending.)

CASE No. 1619

In the Matter of the Application of the UTAH LIGHT AND TRACTION COMPANY to remove its tracks and equipment north of First North Street on Second West and Beck Streets in Salt Lake City, Utah.

Submitted: August 20, 1934. Decided: October 19, 1934.

Disposition: Applicant authorized and permitted to remove its tracks and equipment over and along the following described route in Salt Lake City, Utah:

"Beginning at the intersection of First North Street and Second West Street; thence North on Second West Street to Beck Street; thence northwesterly on Beck Street, Everet Avenue, and Hot Springs Street, to the terminus of said track at the intersection of Fifteenth North and Beck Streets."

"Also beginning at the intersection of Second West Street and Fifth North Street, thence West along Fifth North Street to Third West Street."

CASE No. 1620

In the Matter of the Application of JOHN CHAMBERLAIN, d/b/a CHAMBERLAIN TRUCK LINE, for a certificate of convenience and necessity to operate as a common motor carrier of passengers and property in intrastate commerce between Marysvale, Utah and Alton, Sevier, Summit, Glendale, Orderville, Mt. Carmel Junction, Mt. Carmel and Kanab; also between Cedar City and above points in Kane County, over U. S. 89, 91 and 15. (Pending.)

CASE No. 1621

In the Matter of the Application of HOMER A. LYMAN for a certificate of convenience and necessity to operate as a common motor carrier of passengers and property in intrastate commerce between Richfield and Torrey, Utah, via Highway No. 24. (Pending.)

CASE No. 1622

In the Matter of the Application of BROWN & LUND for a license to operate as a common motor carrier of property (U. S. Mail) between St. George, Utah and Moapa, Nevada, over U. S. Highway No. 91. (Pending.)

CASE NO. 1623

In the Matter of the Application of LESTON L. HATCH for a permit to operate as a contract carrier of property (U. S. Mail) and passengers between Burrville and Fish Lake, Utah, over and upon Highway No. 24. (Pending.)

CASE NO. 1624

In the Matter of the Application of ERNEST N. SABIN for a permit to operate as a contract motor carrier of property (U. S. Mail) between Spanish Fork and Salem, Utah, over U. S. Highway No. 91.

Submitted: January 25, 1935. Decided: May 11, 1935.

Disposition: Contract Carrier Permit No. 88 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail between Spanish Fork, Utah and Salem, Utah, via U. S. Highway No. 91.

CASE NO. 1625

In the Matter of the Application of GEORGE ALFRED DAMRON for a permit to operate as a contract motor carrier of property (U. S. Mail) between Oasis and Abraham, Utah, over county road. (Pending.)

CASE NO. 1626

In the Matter of the Application of WILLIAM SINGLETON for a permit to operate as a contract motor carrier of property (U. S. Mail) between Eureka and Payson, Utah, over Highway Nos. 26 and 91. (Pending.)

CASE NO. 1627

In the Matter of the Application of GLEN P. JOHNSON for a permit to operate as a contract motor carrier of U. S. Mail between Hanksville and Torrey, Utah, via Highway No. 24.

Submitted: April 17, 1935. Decided: June 28, 1935.

Disposition: Contract Carrier Permit No. 109 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail between Hanksville, Utah and Torrey, Utah, via Utah Highway No. 24.

CASE No. 1628

In the Matter of the Application of J. B. HAYCOCK for a permit to operate as a contract motor carrier of property (U. S. Mail) between Clear Creek, Scofield, and Soldier Summit, Utah, over Highways not numbered.

Submitted: February 27, 1935. Decided: May 18, 1935.

Disposition: Contract Carrier Permit No. 98 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail between Clear Creek, Scofield and Soldier Summit, Utah, over unnumbered highways.

CASE No. 1629

In the Matter of the Application of THERIS NEILSON for a permit to operate as a contract motor carrier of property (U. S. Mail) between Loa and Fremont, Utah, over county road. (Pending.)

CASE No. 1630

In the Matter of the Application of JOSEPH FLOYD WELLS for a permit to operate as a contract motor carrier of property (U. S. Mail) in intrastate commerce between Bert, Utah and Promontory, Utah.

Submitted: February 15, 1935. Decided: May 23, 1935.

Disposition: Contract Carrier Permit No. 100 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail between Bert, Utah and Promontory, Utah, via a county highway.

CASE No. 1631

In the Matter of the Application of BERT D. ADAIR for a permit to operate as a contract motor carrier of passengers and property in intrastate commerce between St. George, Utah and Enterprise, Utah, over and upon Highway No. 18. (Pending.)

CASE No. 1632

In the Matter of the Application of C. R. BALDWIN for a permit to operate as a contract motor carrier of passengers and property between Gold Hill, Utah and Uvada, Nevada (U. S. Mail and passengers) over county road not numbered. (Pending.)

CASE NO. 1633

In the Matter of the Application of C. R. CHRISTENSEN for a license to operate as a common motor carrier of mail, freight, and express between Monticello, Utah and Dove Creek, Colorado, over Highway No. 450. (Pending.)

CASE NO. 1634

In the Matter of the Application of JAMES O. TALBOT for a permit to operate as a contract motor carrier of property (U. S. Mail only) between Paragonah, Utah and Cedar City, Utah, over U. S. Highway No. 91. (Pending.)

CASE NO. 1635

In the Matter of the Application of W. W. ADAMS for a permit to operate as a contract motor carrier of property (U. S. Mail) between Modena, Utah and Hamblin Valley. (Pending.)

CASE NO. 1636

In the Matter of the Application of AMOS DAVIS for a permit to operate as a contract motor carrier of property (U. S. Mail) between Faust, Utah and Vernon, Utah.

Submitted: April 30, 1935. Decided: May 25, 1935.

Disposition: Contract Carrier Permit No. 92 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail between Faust, Utah and Vernon, Utah.

CASE NO. 1637

In the Matter of the Application of JAMES OSCAR CHILD for a permit to operate as a contract motor carrier of property (U. S. Mail) and passengers between Price and Emery, Utah, over and upon Highway No. 10. (Pending.)

CASE NO. 1638

In the Matter of the Application of R. C. MURDOCK for a permit to operate as a contract motor carrier of property (U. S. Mail) between Milford and Beaver, Utah. (Pending.)

CASE NO. 1639

In the Matter of the Application of ADRIAN JANSE for a permit to operate as a contract motor carrier of property (U. S. Mail) between Ogden, Utah and Huntsville, Utah, via Highway No. 39.

Submitted: February 7, 1935. Decided: May 18, 1935.

Disposition: Contract Carrier Permit No. 95 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail between Ogden, Utah and Huntsville, Utah, via State Highway No. 39.

CASE No. 1640

In the Matter of the Application of FRANK ALLEN for a permit to operate as a contract motor carrier of property (including U. S. Mail) between Hyrum and Avon, Utah, via Highway U-101 and secondary highway.

Submitted: March 7, 1935. Decided: April 27, 1935.

Disposition: Contract Carrier Permit No. 87 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail between Hyrum and Avon, Utah, via Highway No. U-101 and secondary highway.

CASE No. 1641

In the Matter of the Application of ALONZO RICHARDS for a permit to operate as a contract motor carrier of property (U. S. Mail) between Elmo and Victor, Utah, by way of Desert Lake over county road. (Pending.)

CASE No. 1642

In the Matter of the Application of HORACE ALLRED for a permit to operate as a contract motor carrier of property between Thompson, Lasal, and Monticello, Utah, over and upon Highway No. U. S. 50 and 450. (Pending.)

CASE No. 1643

In the Matter of the Application of MILO ENCE for a permit to operate as a contract motor carrier of property (U. S. Mail) between Santa Clara, Utah and Ivins, Utah, over and upon Highway No. 91. (Pending.)

CASE No. 1644

In the Matter of the Application of PARLEY M. PAYNE for a permit to operate as a contract motor carrier of property (U. S. Mail) in intrastate commerce between Delta and Kanosh, Utah, over Highways Nos. 26 and 91.

Submitted: April 12, 1935. Decided: May 23, 1935.

Disposition: Contract Carrier Permit No. 101 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail between Delta, Utah and Kanosh, Utah, via Highways Nos. U-26 and U. S. 91.

CASE No. 1645

In the Matter of the Application of VIVIAN BRACKEN for a permit to operate as a contract motor carrier of property (U. S. Mail) between Central, Utah and Pine Valley, Utah. (Pending.)

CASE No. 1646

In the Matter of the Application of SIDNEY L. NIELSON for a permit to operate as a contract motor carrier of property (U. S. Mail) between Burrville and Greenwich, Utah, over unnumbered highway. (Pending.)

CASE No. 1647

In the Matter of the Application of LORENZO BELNAP for a permit to operate as a contract motor carrier of property (U. S. Mail) between Hooper, Utah, and Ogden, Utah, via Highway No. 37.

Submitted: February 7, 1935. Decided: May 18, 1935.

Disposition: Contract Carrier Permit No. 96 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail between Hooper, Utah and Ogden, Utah, via State Highway No. 37.

CASE No. 1648

In the Matter of the Application of VERNON LEAVITT for a permit to operate as a contract motor carrier of property (U. S. Mail) between Central, Utah and Pine Valley, Utah.

Submitted: April 19, 1935. Decided: May 1, 1935.

Disposition: Application dismissed without prejudice.

CASE No. 1649

In the Matter of the Application of LYNN COX for a license to operate as a common motor carrier of passengers and property between Evanston, Wyoming and Randolph, Utah, over and upon Highways Nos. 3 and 65. (Pending.)

CASE NO. 1650

In the Matter of the Application of GEORGE E. BALLINGHAM for a permit to operate as a contract motor carrier of property (U. S. Mail) and passengers (occasionally) between Grouse Creek and Lucin, Utah, over county road. (Pending.)

CASE NO. 1651

In the Matter of the Application of JOHN S. JARDINE for a permit to operate as a contract motor carrier of property (U. S. Mail) and freight (occasionally) between Cache Junction, Newton and Clarkston, over county road. (Pending.)

CASE NO. 1652

In the Matter of the Application of F. W. COX for a license to operate as a common motor carrier of property between Salt Lake City, Utah and the Utah-Nevada State line over and upon Highway No. 40.

Disposition: Order issued October 26, 1934, dismissing application without prejudice.

CASE NO. 1653

In the Matter of the Application of LAVERN CLARK for a permit to operate as a contract motor carrier of property (U. S. Mail) between Upton and Coalville, Utah, over Highway No. S. R. 133.

Submitted: February 7, 1935. Decided: May 29, 1935.

Disposition: Contract Carrier Permit No. 102 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail between Upton and Coalville, Utah, via Highway No. 133.

CASE NO. 1654

In the Matter of the Application of LEO G. SMITH for a permit to operate as a contract motor carrier of property (U. S. Mail) between St. George and Pintura, Utah, over and upon Highway No. 91. (Pending.)

CASE NO. 1655

In the Matter of the Application of VANCE O. LIND for a license to operate as a contract motor carrier of property (U. S. Mail) between Oakley, Idaho and Lynn, Utah. (Pending.)

CASE NO. 1656

In the Matter of the Application of GEORGE E. JOHNSON for a permit to operate as a contract motor carrier of property (U. S. Mail) between Wheelon and Collinston, Utah. (Pending.)

CASE NO. 1657

In the Matter of the Application of DON PETERSON and DOUGLAS JONES, d/b/a DON & DOUG DRAY AND EXPRESS, for a certificate of convenience and necessity to operate as a common motor carrier of property between Salt Lake City and Park City, Utah, over Highway No. 40.

Submitted: October 3, 1934. Decided: October 24, 1934.

Disposition: Application denied.

CASE NO. 1658

In the Matter of INCREASES IN FREIGHT RATES AND CHARGES. (Pending.)

CASE NO. 1659

In the Matter of the Application of LORENZO R. DAVIS for a permit to operate as a contract motor carrier of property (U. S. Mail) between Park City, Utah and Peoa, Utah.

Submitted: February 6, 1935. Decided: May 7, 1935.

Disposition: Contract Carrier Permit No. 91 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail between Park City, Utah and Peoa, Utah, via U. S. Highway No. 40 and an unnumbered county road.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF UTAH

In the Matter of the Application of D. P. ABERCROMBIE as Receiver for the Salt Lake and Utah Railroad Company, for permission to close the stations of Orem and Salem, Utah. } Case No. 1660

Submitted: October 1, 1934. Decided December 20, 1934.

Appearances:

F. M. Orem, Comptroller,	}	for
Salt Lake & Utah R. R. Co.		
C. L. Wright	}	for
	}	Pleasant Grove Canning Co.
James P. Christensen		
	}	for
	}	Citizens of Salem.

REPORT OF THE COMMISSION

By the Commission:

On September 14, 1934, D. P. Abercrombie, as receiver for the Salt Lake and Utah Railroad Company filed an application with the Commission requesting permission to part time close the stations of Orem and Salem, Utah. The matter came on for hearing before the Commission at Salem, Utah, on October 1, 1934, on the application to close the Salem station, and at Orem, Utah, on the same date, on the application to close the Orem station. A written protest was filed to the granting of the application to close the Orem station, and in addition protests were entered by different individuals at the hearings protesting against the closing of either station.

From the record in the case, the Commission finds:

That applicant, D. P. Abercrombie, as Receiver for the Salt Lake and Utah Railroad Company, operates an electric line of railroad from Salt Lake City to Payson, Utah, and intermediate points, including the towns of Orem and Salem, Utah; that for approximately five years last, an agent has been maintained at the Orem station to conduct the business of applicant at that point, but that prior to such time this station was conducted as a non-agency station.

That for many years past, applicant has employed a part time agent at the Salem Station, who also worked at the storehouse of applicant in Payson.

Applicant alleges that during the past few years, railway revenues have consistently declined; that the company is no longer able to obtain credit, and must depend entirely upon income from operation of the company's system to meet its financial obligations; that the result of operations for the year 1933 shows a loss of \$49,240.00, after providing for operating expenses, taxes, receivership interest charges, and other items of railway expense. It is also shown that for the seven months' period ending August 1, 1934, the losses on the same basis amount to \$41,855.00.

Applicant has resorted to various means to curtail expenses, among them being reductions in expenses in the general office, including traffic facilities, club memberships, and miscellaneous items. It is estimated that these economies will result in a saving of approximately \$36,900.00 a year. Among the economies contemplated by applicant are the closing of the Orem and Salem stations. If the Orem station is closed, it will result in a saving in wages alone of \$500.00 per year; and the closing of the Salem station will result in a saving of \$732.00 per year.

If permitted to close the stations, applicant proposes to keep the station buildings open, and provide heating and lighting services when necessary. At the Orem station, applicant proposes to continue to render pickup and delivery service, as usual, and handle the delivery of carloads of freight in the same manner as in the past; and outbound traffic will be accommodated by placing all orders for cars by telephone to the Provo station. Applicant proposes to allow the present agent at Orem to use the station building as a residence, and carry on his farming work in that vicinity; the agent also will perform pickup and delivery service for applicant, but the agent's services will not be in the capacity of a regular station agent.

At the Salem station, applicant proposes to deliver freight as it has done in the past, and supply cars upon order in the regular way. Out-going express matter will be put on the trains, and a messenger will do the billing. Passengers will be required to purchase their tickets on the train instead of from the station agent; but the station building will be heated and lighted for the comfort and accommodation of passengers waiting for trains.

At the hearing on the application to close the Orem station, protestants requested that applicant file with the Commission a statement showing the business handled at the Orem station during the period an agent has been maintained at said station. The auditor for applicant filed such statement with the Commission, which shows the following:

Carload Traffic

	1930 (11 Mos.)	1931	1932	1933	1934 (9 Mos.)
Received (carloads)	116	58	50	70	81
Forwarded (carloads)	149	58	154	53	88
Total Carloads	265	116	204	123	169
Average per Month	24	9.7	17	10.2	18.7

L. C. L. Traffic

Received (Tons L.C.L.) ..	20.3	32.8	16.4	24.0	16.0
Forwarded (Tons L.C.L.)	2.5	3.9	19.7	4.4	3.0
Total Tons L.C.L.	22.8	36.7	36.1	28.4	19.0
Average per Month	2.07	3.0	3.0	2.4	2.1

The records of business done at the Orem station for the seven months period ending August 1, 1934, show an average of 59 passengers per month going out of Orem, which amounts to an average of \$29.84 revenue per month.

The records of business done at the Salem station for the seven months period ending August 1, 1934, show an average of 28 passengers per month, with an average monthly revenue accrual of \$14.06. During the same period, there were no carloads of freight received, and the L.C.L. freight consisted of an average of 2.1 tons per month, while the forwarded traffic consisted of two carloads during the same period, and less than one-half ton of L.C.L. freight forwarded for the period.

The record shows that the traffic moving over the line of the applicant at Salem has shown considerable decrease, with a consequent decrease in revenues in recent years. During the fall of 1933, applicant handled no green foods whatever, where normally 400 or 500 carloads of such freight moved over this line. The winter of 1933-34 was an exceptionally mild winter, and applicant suffered a loss of approximately 800 carloads of coal as a result of the season, and by reason of trucking operations out of Carbon County, Utah coal fields.

The Pleasant Grove Canning Company, principal Protes-tant to granting of the application to close the Orem station, is one of the largest shippers in the vicinity of Orem. This company, over a period of several years, has done a business of 75

to 150 cars of freight a year, on both inbound and outbound freight. The records of this Company show that during the period January 1, 1934, to the date of hearing, 107 cars of freight, both inbound and outbound, were handled by said Company. It was testified that the services of an agent at the Orem station were of great convenience and value to this Company, and that it would inconvenience said Company a great deal in handling its shipments if no agent were available at the Orem station.

The territory in and around Orem is one devoted principally to farming and fruit growing. The principal fruits grown are peaches, pears, apples, and various small berries. The small berries and the other fruits grown, with the exception of apples, require immediate shipment when they are picked for shipment to markets, and any undue delay in the movement of the fruits would result in losses to the growers. The growers of these products feel that the service rendered by a station agent in the shipment of their fruit is a great convenience and very valuable to them, and should not be dispensed with.

Mr. C. L. Wright, a witness for the Pleasant Grove Canning Company, under cross examination testified, "I have had experience now both with the agent at Orem, and without the agent at Orem, and there just isn't any comparison in the service." (Transcript, pp. 50, 51.)

In a case of this kind, due consideration must be given to all relevant facts and circumstances, both from the standpoint of the applicant, and the users of the service afforded by applicant. This Commission has maintained in the past that the public interest comes first. At the same time, the Commission is fully cognizant of the financial condition of the applicant, and the embarrassing situation it now finds itself in by reason of the fact that its avenues of credit have been seriously impaired in recent years. It would seem, however, in the case of the Orem station that the savings to the applicant if the station is closed are not sufficient to justify such action in the face of the present record, and in view of the service required by its patrons.

In the case of the Salem station, it would seem that patronage at said station, and the revenues derived therefrom are such that to close the station as an agency station would not

so seriously impair the service of the applicant to its patrons thereof, and that the saving by doing so would be amply justified.

The conclusion is reached, therefore, that the application to close the Salem station as an agency station should be granted, but that the application to close the Orem station as an agency station should be denied.

An appropriate order will follow.

(Signed) E. E. COREMAN,
THOS. E. MCKAY,
T. H. HUMPHERYS,

Commissioners.

(Seal)

Attest:

(Signed) F. L. OSTLER, Secretary.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF UTAH

At a Session of the PUBLIC UTILITIES COMMISSION
OF UTAH, held at its office in Salt Lake City, Utah,
on the 20th day of December, A. D. 1934.

In the Matter of the Application of D. P.
ABERCROMBIE as Receiver for the Salt
Lake and Utah Railroad Company, for
permission to close the stations of Orem
and Salem, Utah. } Case No. 1660

ORDER

This case being at issue upon application and protest on file, and having been duly heard and submitted by the parties, and full investigation of the matters and things involved having been had, and the Commission having, on the date hereof, made and filed a report containing its findings and conclusions, which said report is hereby referred to and made a part hereof,

IT IS ORDERED, that the application herein of D. P. Abercrombie as Receiver for the Salt Lake and Utah Railroad Company for permission to close the station of Orem, Utah, be, and the same is hereby denied.

ORDERED FURTHER, that the application herein of D. P. Abercrombie as Receiver for the Salt Lake and Utah Railroad Company for permission to close the station of Salem, Utah, be, and the same is hereby granted, provided that reasonable heating and lighting facilities be provided at the station building when needed, and that reasonable facilities be afforded shippers in the handling of movements of freight in and out of the town of Salem.

By the Commission.

(Signed) F. L. OSTLER, Secretary.

(Seal)

CASE NO. 1661

In the Matter of the Application of CLYDE SNOW for a permit to operate as a contract motor carrier of property (U. S. Mail) between Teasdale, Utah and Grover, Utah. (Pending.)

CASE NO. 1662

In the Matter of the Application of WILLARD MACK-ELPRANG for a license to operate as a common motor carrier of property and U. S. Mail between Kanab, Utah and Fredonia, Arizona, over U. S. Highway No. 89. (Pending.)

CASE NO. 1663

In the Matter of the Application of UTAH LIGHT AND TRACTION COMPANY to discontinue gasoline motor bus service on Fifteenth East and Twenty-first South Streets in Salt Lake City, Utah. (Pending.)

CASE NO. 1664

ARROW AUTO LINE, Complainant, vs. B. E. JOHNSON, Defendant. (Pending.)

CASE NO. 1665

In the Matter of the Application of C. DEAN POWELL for a permit to operate as a contract motor carrier of property (U. S. Mail) between Duchesne and Hanna, Utah, via Highway No. 35. (Pending.)

CASE NO. 1666

In the Matter of the Application of HORACE ALLRED for a certificate of convenience and necessity to operate as a common motor carrier of property and passengers between

Monticello, LaSal Junction, LaSal, Moab and Thompson, Utah, via State Highway No. 450, 46, and U. S. Highway No. 50.

Disposition: Order issued May 24, 1935 dismissing application without prejudice.

CASE NO. 1667

In the Matter of the Application of ALFRED J. LONDON for a permit to operate as a contract motor carrier of property (U. S. Mail) between Devil's Slide, Utah and Croyden, Utah.

Submitted: February 7, 1935. Decided: March 12, 1935.

Disposition: Application dismissed without prejudice.

CASE NO. 1668

In the Matter of the Application of BEN PETERSON for a permit to operate as a contract motor carrier of property (U. S. Mail) between Gunnison, Centerfield and Fayette, Utah, over Highways Nos. 189 and 28. (Pending.)

CASE NO. 1669

In the Matter of the Application of WILLIAM H. MCINTOSH for a permit to operate as a contract motor carrier of property (U. S. Mail) between Junction and Escalante, Utah. (Pending.)

CASE NO. 1670

In the Matter of the Application of HARVEY LEVIE for a license to operate as a common motor carrier of property in interstate commerce between Logan, Utah and Los Angeles, California, over Highways Nos. 91 and 40.

Disposition: Order issued January 24, 1935 dismissing application without prejudice.

CASE NO. 1671

In the Matter of the Application of UTAH RAPID TRANSIT COMPANY, a corporation, for permission to remove its track and electrical and other equipment from a part of its right of way leading from Ogden City in Weber County, State of Utah to Huntsville, in said county and state.

Submitted: October 8, 1934. Decided: October 19, 1934.

Disposition: Application granted authorizing applicant to remove its tracks, electrical overhead and other equipment from its right-of-way from a point commonly known as Black Rock Point in Ogden Canyon to Huntsville in Weber County, Utah.

CASE NO. 1672

In the Matter of the Application of JAMES W. COX for a permit to operate as a contract motor carrier of property (U. S. Mail) between Lehi and Topliff, Utah, via county roads.

Submitted: January 25, 1935. Decided: May 18, 1935.

Disposition: Contract Carrier Permit No. 97 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail between Lehi, Utah and Topliff, Utah, via county roads.

CASE NO. 1673

In the Matter of the Application of PARLEY B. STEELE for a permit to operate as a contract motor carrier of property in intrastate commerce between Panguitch and Henrieville, Utah, over and upon Highways Nos. U. S. 89 and Utah 12.

Submitted: April 18, 1935. Decided: June 28, 1935.

Disposition: Contract Carrier Permit No. 111 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail between Panguitch and Henrieville, Utah, via Highways Nos. U. S. 89 and U-12.

CASE NO. 1674

PUBLIC SERVICE COMMISSION OF UTAH, Complainant, vs. OREGON SHORT LINE RAILROAD COMPANY, a corporation, Defendant. (Pending.)

CASE NO. 1675

In the Matter of the Application of STANLEY NEBEKER for a permit to operate as a contract motor carrier of passengers and property in intrastate commerce between Ouray and Ft. Duchesne, Utah and county roads. (Pending.)

CASE NO. 1676

In the Matter of the Application of LEWELLYN STAPLES for a permit to operate as a contract motor carrier of property (U. S. Mail) and passengers in intrastate commerce between St. John, Utah and Ophir, Utah, via Lincoln and county highways.

Submitted: January 30, 1935. Decided: May 4, 1935.

Disposition: Contract Carrier Permit No. 90 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail between St. John Depot and Ophir, Utah, via Lincoln and county highways.

CASE NO. 1677

In the Matter of the Application of WILLIAM L. CHASTAIN for a permit to operate as a contract motor carrier of property between Gold Hill, Utah and Ibapah, Utah. (Pending.)

CASE NO. 1678

In the Matter of the Application of GEORGE M. ALEXANDER, d/b/a SALT LAKE-VERNAL STAGES, for a certificate of convenience and necessity to operate as a common motor carrier of passengers in intrastate commerce between Vernal and Salt Lake City, Utah, and all intermediate points, over and upon Highway No. 40.

Disposition: Order issued December 10, 1934 dismissing application with prejudice.

CASE NO. 1679

In the Matter of the Application of HENRY R. JOLLEY to operate as a contract motor carrier of property (U. S. Mail) between Angle and Antimony, Utah, via Highways Nos. 62 and 22. (Pending.)

CASE NO. 1680

In the Matter of the Application of SALT LAKE COUNTY, a political subdivision of the State of Utah, for permission to establish a railroad crossing. (Pending.)

CASE NO. 1681

In the Matter of the Application of JOHN H. JENSEN for a license to operate as a contract motor carrier of property (U. S. Mail) between Randolph, Utah and Paris, Idaho. (Pending.)

CASE No. 1682

In the Matter of the Application of JAMES C. OLSEN for a permit to operate as a contract motor carrier of passengers or property in intrastate commerce between Scipio and Juab, Utah, over Highway No. 91. (Pending.)

CASE No. 1683

In the Matter of the Application of HAROLD G. OMAN for a permit to operate as a contract motor carrier of property (U. S. Mail) between Naf, Idaho, Kelton, and Yost, Utah, over county road. (Pending.)

CASE No. 1684

In the Matter of the Application of EDGAR NEILSON for a permit to operate as a contract motor carrier of property (U. S. Mail) between Lynndyl, Utah and Oak City, Utah, over secondary highway not numbered. (Pending.)

CASE No. 1685

In the Matter of the Application of GEORGE GLEASON for a permit to operate as a contract motor carrier of property in intrastate commerce between Garland, Utah and Salt Lake City, Utah.

Disposition: Order issued October 19, 1934 dismissing application without prejudice.

CASE No. 1686

In the Matter of the Application of ALBERT D. HIRSCHI for a permit to operate as a contract motor carrier of property in intrastate commerce between Rosette, Utah and Kelton, Utah, over county road. (Pending.)

CASE No. 1687

In the Matter of the Application of ARNOLD ROBBINS for a permit to operate as a contract motor carrier of passengers and property in intrastate commerce between Duchesne, Utah and Altonah, Utah. (Pending.)

CASE No. 1688

In the Matter of the Application of JENSEN & KELSO for a license to operate as a common motor carrier of property between Salt Lake City, Utah and the Utah-Idaho State line, enroute to Boise, via Twin Falls and St. Anthony, over U. S. Highway No. 91.

Submitted: November 5, 1934. Decided: Jan. 24, 1935.

Disposition: Application dismissed without prejudice.

CASE NO. 1689

In the Matter of the Application of Mrs. LILA BOREN for a license to operate as a contract motor carrier of property (U. S. Mail) between Manila, Utah and Burnt Fork, Wyoming. (Pending.)

CASE NO. 1690

In the Matter of the Application of JOSEPH OBORN for a permit to operate as a contract motor carrier of property (U. S. Mail) between Dunbar, Utah and Benmore, Utah, over unnumbered highway.

Disposition: Order issued April 17, 1935 dismissing application without prejudice.

CASE NO. 1691

In the Matter of the Application of ELBERT STEINAKER for a license to operate as a common motor carrier of property (U. S. Mail) and passengers between Green River, Wyoming and Manila, Daggett County, Utah, over and upon Highways Nos. U-101 and U-102. (Pending.)

CASE NO. 1692

In the Matter of the Application of CHESTER LYMAN for a permit to operate as a contract motor carrier of property (U. S. Mail) between Duchesne, Utah and Strawberry River, via secondary highway. (Pending.)

CASE NO. 1693

In the Matter of the Application of WILLIAM LUND for a permit to operate as a contract motor carrier of property (U. S. Mail) between Modena, Utah and Newcastle, Utah, via Highway No. 18.

Submitted: April 20, 1935. Decided: June 28, 1935.

Disposition: Contract Carrier Permit No. 108 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail between Modena, Utah and Newcastle, Utah, via State Highway No. 18.

CASE No. 1694

In the Matter of the Application of B. C. PEACOCK for a permit to operate as a contract motor carrier of property between Salt Lake City and Emery, Utah, over and upon Highways Nos. 10 and 50.

Disposition: Order issued December 8, 1934 dismissing application without prejudice.

CASE No. 1695

In the Matter of the Application of LOREN E. TWITCHELL for a permit to operate as a contract motor carrier of property between Marysvale, Utah and Henrieville, Utah, over and upon Highways Nos. 54, 12 and 89.

Submitted: January 4, 1935. Decided: May 21, 1935.

Disposition: Contract Carrier Permit No. 84 issued authorizing applicant to operate as a contract motor carrier of property for John Johnson, Frank Ahlstrom, Wilford Clark, Sam Grant, and Wallace Peterson, between Marysvale, Utah and Henrieville, Utah, over and upon Highways Nos. U. S. 89, U-12 and U-54.

CASE No. 1696

In the Matter of the Application of ARTHUR GREEN for a permit to operate as a contract motor carrier of property between Ogden, Utah and North Salt Lake, over and upon Highway No. 91.

Disposition: Order issued February 15, 1935 dismissing application without prejudice.

CASE No. 1697

In the Matter of the Application of WILLIAM KIRKHAM for a permit to operate as a contract motor carrier of property (U. S. Mail) between Lehi, Utah and Pelican Point, Utah, over unnumbered highway.

Submitted: January 25, 1935. Decided: May 21, 1935.

Disposition: Contract Carrier Permit No. 99 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail between Lehi, Utah and Pelican Point, Utah, over an unnumbered highway.

CASE NO. 1698

In the Matter of the Application of RANDOLPH BENSON for a permit to operate as a contract motor carrier of property (U. S. Mail) between Pleasant Grove and Deer Creek, American Fork Canyon, Utah, over county and Forest Service road. (Pending.)

CASE NO. 1699

In the Matter of the Application of WILLIAM J. AHLSTROM for a permit to operate as a contract motor carrier of property (U. S. Mail) between St. John Railroad Station and Clover, Utah, via Highway No. 36.

Submitted: January 30, 1935. Decided: May 4, 1935.

Disposition: Contract Carrier Permit No. 89 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail between St. John Railroad Station and Clover, Utah, via State Highway No. 36.

CASE NO. 1700

In the Matter of the Application of YELLOW CAB COMPANY for a permit to operate as a contract motor carrier of property in intrastate commerce between Provo and Salt Lake, and intermediate points, and Provo and Nephi, and intermediate points over Highway No. 91.

Submitted: December 5, 1934. Decided: Jan. 24, 1935.

Disposition: Contract Carrier Permit No. 83 issued authorizing applicant to operate as a contract motor carrier of property in intrastate commerce for Sears-Roebuck & Company of Provo, Utah between Provo and Salt Lake City and intermediate points, and between Provo and Nephi, Utah and intermediate points, via U. S. Highway No. 91.

CASE NO. 1701

In the Matter of the Application of GEORGE CARLOS MURDOCK for a permit to operate as a contract motor carrier of property (U. S. Mail) between Beaver, Sulphurdale, and Cove Fort, Utah, over and upon Highway No. 91. (Pending.)

CASE No. 1702

In the Matter of the Application of MELVIN A. ROB-BINS for a permit to operate as a contract motor carrier of property (U. S. Mail) in intrastate commerce between Deweyville, Utah and Garland, Utah.

Submitted: February 15, 1935. Decided: May 20, 1935.

Disposition: Contract Carrier Permit No. 94 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail between Deweyville and Garland, Utah.

CASE No. 1703

In the Matter of the Application of J. D. BATTY for a permit to operate as a contract motor carrier of property (U. S. Mail) between Wallsburg and Charleston, Utah. (Pending)

CASE No. 1704

In the Matter of the Application of PETTY AND RID-DLE, INC., for a certificate of convenience and necessity to operate as a common motor carrier of property between Cedar City, Utah and Kanab, Utah, and intermediate points.

Submitted: December 20, 1934. Decided: May 17, 1935.

Disposition: Certificate of Convenience and Necessity No. 436 issued authorizing applicant to operate as a common motor carrier of property between Cedar City, Utah and Kanab, Utah, including Zion National Park and Mt. Carmel Junction, via Highways U. S. 91, U-15, and U. S. 89; and also authorizing applicant to transport U. S. Mail to the towns of Kanarraville, Pintura, Toquerville, LaVerkin, Hurricane, Virgin, Rockville and Springdale, Utah.

CASE No. 1705

In the Matter of the Application of GEORGE T. WOOD-RUFF for a permit to operate as a contract motor carrier of property (U. S. Mail) in intrastate commerce between Myton, Utah and Bluebell, Utah, via Highway No. 40. (Pending.)

CASE No. 1706

In the Matter of the Application of ARIZONA-UTAH STAGES, INC., for a license to operate as a common motor carrier of passengers and property in interstate commerce be-

tween Salt Lake City, Utah and Flagstaff, Arizona, via Highways Nos U. S. 91, U-28 and U. S. 89.

Submitted: December 5, 1934. Decided: Jan. 18, 1935.

Disposition: Application granted under authority of Interstate Carrier License No. 69.

CASE NO. 1707

In the Matter of the Application of EUGENE HARMSTON for a permit to operate as a contract motor carrier of property (U. S. Mail) in intrastate commerce between Roosevelt, Neola, White Rocks, and Leeton, Utah. (Pending.)

CASE NO. 1708

In the Matter of the Application of J. HARVEY GLINES for a permit to operate as a contract motor carrier of property (U. S. Mail) between Tridell and Fort Duchesne, Utah, via U. S. Highway No. 40. (Pending.)

CASE NO. 1709

In the Matter of the Application of OWEN COX for a license to operate as a common motor carrier of property (U. S. Mail) between St. George, Utah and Mt. Trumbull, Arizona. (Pending.)

CASE NO. 1710

In the Matter of the Application of ALVA L. COLEMAN to discontinue operation of automobile passenger service between Salt Lake City and Heber City, Utah, etc., under Certificates of Convenience and Necessity Nos. 227 and 377, and of Uintah Basin Stages to discontinue operation of automobile passenger service between Heber City and Vernal, Utah, etc., under Certificate of Convenience and Necessity No. 374, and of Denver Colorado Springs Pueblo Motorway, Inc., to assume all of said operations.

Submitted: November 27, 1934. Decided: Dec. 1, 1934.

Disposition: Certificate of Convenience and Necessity No. 428 issued authorizing Denver Colorado Springs Pueblo Motor Way, Inc., to operate an automobile passenger and baggage line between Salt Lake City and Vernal, Utah, via U. S. Highway No. 40, or as an alternate route via U. S. Highway No. 91 from Salt Lake City to Provo, thence via Utah Highway No. 7 from Provo to Heber City (or via the Orem Cut-off on Utah Highway No. 52), thence via U. S. Highway No. 40 from

Heber to Vernal; and between Vernal and Price, Utah over State Highway No. 33, via Duchesne, or over State Highway No. 53 via Myton, through Nine-mile Canyon; excluding local service between Salt Lake City and Park City and intermediate points, or between Heber City and Park City and intermediate points, or between Salt Lake City and Provo and intermediate points; Certificates of Convenience and Necessity Nos. 227 and 377 previously issued to Alva L. Coleman, and Certificate of Convenience and Necessity No. 374 previously issued to Uintah Basin Stages cancelled.

CASE NO. 1711

In the Matter of the Application of DENVER COLORADO SPRINGS PUEBLO MOTOR WAY, INC., for a license to operate as a common motor carrier of passengers in interstate commerce between Salt Lake City, Utah and the Utah-Colorado State line, via U. S. Highway No. 40.

Submitted: November 27, 1934. Decided: Dec. 1, 1934.

Disposition: Application granted under authority of Interstate Carrier License No. 67.

CASE NO. 1712

In the Matter of the Application of DAISY ROWLEY for a license to operate as a contract motor carrier of property (U. S. Mail) between Milford, Utah and Ely, Nevada, via Highway No. 21. (Pending.)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF UTAH

In the Matter of the Application of SOUTHERN PACIFIC COMPANY (Pacific Lines) for authorization to amend item in its Terminal Tariff No. 230-J, P. U. C. U. No. 82, providing charge for issuing bill of lading and checking contents of car, etc., when switching service only is performed.	} Case No. 1713
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REPORT AND ORDER OF THE COMMISSION

By the Commission:

An application was filed with the Commission on December 5, 1934, by the Southern Pacific Company (Pacific Lines) for authorization to amend item in its Terminal Tariff No. 230-J, P. U. C. U. No. 82, providing charge for issuing bill of lading and checking contents of car, etc., when switching service only is performed.

Item No. 2110-C of Southern Pacific (Pacific Lines) Tariff No. 230-J, P. U. C. U. 82 reads as follows:

"For freight, carloads, on which only a switch service is performed, Southern Pacific Company (Pacific Lines) will, on request, check contents of a car and issue straight bill of lading in accordance with such check, subject to the charges shown in Paragraphs (a) and (b) below. Order Bills of Lading will not be issued when switching service only is performed.

(a) Check contents of car at loading point and issue bill of lading in accordance with such check at a charge of 10 cents per ton of 2,000 pounds or fraction thereof, applied to the weight of the shipment.

(b) Check contents of car at unloading point and issue delivery receipt in accordance with such check at a charge of 10 cents per ton of 2,000 pounds or fraction thereof, applied to the weight of the shipment."

Applicant proposes to make the following changes in the above mentioned rule:

1. Omit the words "applied to the weight of the shipment" at the end of paragraph (a) and also at the end of paragraph (b).

2. Insert in lieu of such omissions in each instance the words, "minimum charge two dollars per car."

The question has arisen as to whether under the present wording of the rule the ten cent per ton checking charge on freight in carloads in switching movements should be applied against the actual weight of the shipment or against a theoretical weight equal to the minimum weight under the intrastate switching rates. It is shown that if the charge is based on actual weight of the shipment, and in the case a shipment weighed one ton or less the charge for sending a man from applicant's station to check the car would be but ten cents, which in many cases would not even pay his street car fare. Investigation has shown that on points of applicant's line in California, the

actual cost of checking cars ranges from \$2.00 to \$6.00 per car. The difference is due to the fact that it takes longer to load or unload certain articles than it does others, and the distance that origin or delivery point is located from applicant's station. In some instances, origin or delivery point is seven or eight miles from the freight station.

The service afforded under the rule under consideration is one provided only on request of shippers or receivers by special tariff publication. It is shown that very little, if any use, is being made of the item in question at stations in Utah and the granting of the application will be a technical increase only, and will result in a uniform provision applicable at all points on applicant's line.

The Commission is of the opinion that a formal investigation and hearing in this matter should not be required, and that the application should be granted. Therefore,

IT IS ORDERED that the application herein of the Southern Pacific Company (Pacific Lines) for authorization to amend Item in its Terminal Tariff No. 230-J, P. U. C. U. No. 82 providing charge for issuing bill-of-lading, and checking contents of car, etc., when switching service only is performed be, and the same is hereby granted.

Dated at Salt Lake City, Utah, this 29th day of January, A. D. 1935.

(Signed) E. E. CORFMAN,
THOS. E. McKAY,
T. H. HUMPHERYS,

(Seal) Commissioners.
Attest:

(Signed) F. L. OSTLER, Secretary.

CASE NO. 1714

In the Matter of Interstate License No. 32, Petition of A. E. GOSNELL to be released therefrom, and of the INLAND PACIFIC STAGES, his successor in interest, to be permitted to operate thereunder, or give the service thereby required, via U. S. Highways Nos. 50 and 91.

Submitted: December 19, 1934. Decided: Jan. 29, 1935.

Disposition: Order issued cancelling Interstate Carrier License No. 32 and issuing Interstate Carrier License No. 71 to Inland Pacific Stages authorizing said company to operate

as a common motor carrier of passengers in interstate commerce between Salt Lake City, Utah and the Utah-Colorado State line, via Highways Nos. U. S. 91 and 50.

CASE NO. 1715

In the Matter of the Application of FERGUS FERGUSON for a certificate of convenience and necessity to operate as a common motor carrier of passengers and freight between Brighton, Utah and way points to and including Salt Lake City during the period October 1 to and including June 30, and commencing in 1934 within a reasonable time after the issue of the certificate herein prayed for, to supplement present summer service.

Disposition: Order issued February 23, 1935 dismissing application without prejudice.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF UTAH

In the Matter of the Application of the UNION PACIFIC RAILROAD COMPANY, }
a corporation, for permission to discon- } Case No. 1716
tinue the operation of its station at Uintah, }
Weber County, Utah, as an Agency station }

Submitted: January 11, 1935. Decided: March 16, 1935.
Appearances:

Robert B. Porter, Attorney } for
Walter J. Coy } Union Pacific System.
} for
} South Weber Farm Bureau.

REPORT AND ORDER OF THE COMMISSION
McKay, Commissioner:

An application was filed with the Commission on December 14, 1934, by the Union Pacific Railroad Company for permission to discontinue the operation of its station at Uintah, Weber County, Utah, as an agency station. This matter came on regularly for hearing at Ogden, Utah, on January 11, 1935, after due and legal notice given to interested parties. Proof of publication of notice of hearing was filed, and made a part of the record.

After consideration of the record and files in the case, the Commission now finds and orders:

That applicant, Union Pacific Railroad Company, is a corporation organized under and existing by virtue of the laws of the State of Utah with its principal place of business in Utah and corporate office at Salt Lake City, Utah, and that it is a common carrier of property and persons by rail in interstate and intrastate commerce within and through the State of Utah and other states.

Applicant is now operating and has operated for a long time past at Uintah, Weber County, Utah, an agency station where an agent is and has been employed for the purpose of transacting the business of the railroad at that point. In the present application, applicant claims that the volume of business done and the expenses involved in maintaining said Uintah station does not warrant the operation of the station as an agency station.

Applicant's Exhibit No. 1 shows the number of cars and tons of freight forwarded from and received at the Uintah Station, and revenues derived therefrom for the three year period, July, 1931 to June, 1934, both months inclusive, as follows:

	July 1931 to June 1932		July 1932 to June 1933		July 1933 to June 1934	
	Cars	Tons	Cars	Tons	Cars	Tons
Carloads forwarded	44	1558	48	1941	62	2419
Carloads received	8	339	3	99	1	13
L.C.L. forwarded	--	5	--	--	--	--
L.C.L. received	--	16	--	1	--	1
Total	52	1918	51	2041	63	2433
Revenue Accruals	\$3,233		\$1,347		\$2,122	

Applicant's Exhibit No. 2 shows revenues derived from miscellaneous sources, other than sales of passenger tickets, at Uintah Station for the same three year period, as follows:

July, 1931 to June, 1932	\$14.20
July, 1932 to June, 1933	11.46
July, 1933 to June, 1934	12.30

The number of tickets sold at Uintah station and revenues derived therefrom during the same three year period as shown in Applicant's Exhibit No. 3, are as follows:

	Tickets Sold	Revenue
July, 1931 to June, 1932	22	\$6.60
July, 1932 to June, 1933	4	3.36
July, 1933 to June, 1934	8	9.71

In Applicant's Exhibit No. 4, a summary is made of all revenues derived from the operation of the Uintah Station, and the expenses involved in the operation of the station, as follows:

	Total Revenues	Total Expenses
July, 1931 to June, 1932	\$3,254	\$1,654
July, 1932 to June, 1933	1,361	1,351
July, 1933 to June, 1934	2,145	1,183

(The above revenue figures do not include revenue from transportation of U. S. Mail and express, as it is claimed an allocation from these sources cannot be made to the Uintah Station.)

The town of Uintah is situated in an agricultural region of the State. Patrons of applicant at this point are dependent for the most part upon agricultural pursuits and have used the station facilities of applicant in shipping their fruits and produce. The principal shipping season from this point is during the months of August, September, October and November.

Mr. Walter J. Coy, Secretary of the South Weber Farm Bureau, appearing on behalf of the Farm Bureau, presented a petition signed by 58 people residing in and around Uintah, requesting the Commission to require applicant to retain an agent at the Uintah station. From the testimony of Mr. Coy, it is shown that the producers of fruit, potatoes and other produce are concerned about the question of the safety of their products after the products have been loaded in a car. In explaining the method in use in handling carload shipments, applicant's witness stated the cars usually are sealed at night with a private padlock until the car is sent on to Ogden, where it is sealed.

If the application is granted, applicant proposes to furnish as satisfactory service to shippers of carload lots as is furnished by a regular agent. Less than carload shipments would be billed at Ogden, and the local trains instructed to pick up the merchandise at Uintah. The train crews would handle the loading of the merchandise at the Uintah station. Less than carload shipments destined to Uintah will be placed under lock upon arrival at Uintah. Arrangements will be made for someone to take care of the station.

Following the explanation by applicant of the manner in which shipments would be handled into and out of Uintah, protestants agreed that the proposed service would be as satisfactory as an agency service, and that there would be no basis for complaint.

From the foregoing findings, the conclusion is reached that public convenience and necessity no longer require the operation of the Uintah Station as an agency station, and that the revenues accruing and expenses involved in the operation of the station do not justify the maintenance of the station as an agency station, and that the application should be granted.

IT IS THEREFORE ORDERED, that the application herein of Union Pacific Railroad Company, a corporation, for permission to discontinue the operation of its station at Uintah, Weber County, Utah, as an agency station, be, and the same is hereby granted.

(Signed) THOMAS E. McKAY,

We concur:

E. E. CORFMAN,

T. H. HUMPHERYS,

Commissioners.

(Seal)

Attest:

(Signed) F. L. OSTLER, Secretary.

CASE No. 1717

In the Matter of the Application of GARRETT TRANSFER AND STORAGE COMPANY for a license to operate as a common motor carrier of property in interstate commerce between Utah-Idaho State line and Utah-Arizona State line, enroute to Los Angeles, California, via Highways 91, 30-S and 41.

Submitted: December 28, 1934. Decided: Jan. 24, 1935.
Disposition: Application granted under authority of Interstate Carrier License No. 70.

CASE NO. 1718

In the Matter of the Joint Application of COLUMBIA PACIFIC NITECOACH LINES, INC., and J. D. Watson as Receiver of Columbia Pacific Nitecoach Lines, Inc., and BURLINGTON TRANSPORTATION COMPANY for transfer or reissuance of interstate license.

Submitted: December 28, 1934. Decided: Dec. 29, 1934.

Disposition: Order issued cancelling Interstate Carrier License No. 8 held by Columbia Pacific Nitecoach Lines, Inc.; and issuing Interstate Carrier License No. 68 authorizing Burlington Transportation Company to operate as a common motor carrier of passengers and baggage between the Utah-Arizona State line and the Utah-Wyoming State line, via Highways Nos. U. S. 91, U-49 and U. S. 30-S.

CASE NO. 1719

In the Matter of the Application of OLIVER EDWARDS for a permit to operate as a contract motor carrier of property in intrastate commerce between Heber City and Provo, Utah, over and upon Highway No. 7.

Submitted: January 16, 1935. Decided: Feb. 25, 1935.

Disposition: Contract Carrier Permit No. 86 issued authorizing applicant to operate as a contract motor carrier for the transportation of milk and empty containers between Heber City and Provo, Utah, via U-7 serving milk producers in and around Heber City and Charleston, making delivery of the milk to the Cherry Hill Dairy at Provo, Utah; application for permission to haul groceries and other property from Provo, Utah to Charleston, Utah for delivery to Carl Greer Service Station denied.

CASE NO. 1720

In the Matter of the Application of H. S. FLORENCE for a permit to operate as a contract motor carrier of property between Salt Lake City and Park City, Marysville, Price, and Tremonton, via Highways Nos. U. S. 40, 91, 89, 50 and 30-S.

Disposition: Order issued January 7, 1935 dismissing application without prejudice.

CASE NO. 1721

In the Matter of the Application of STUCKI & WITTER for a license to operate as a common motor carrier of property in interstate commerce between Los Angeles and St. George, Utah, via Highway No. 91. (Pending.)

CASE NO. 1722

In the Matter of the Application of ALBERT N. HARRISON for a permit to operate as a contract motor carrier of property including U. S. Mail between Newcastle, Utah and Pinto, Utah, via county road.

Disposition: Order issued May 23, 1935 dismissing application without prejudice.

CASE NO. 1723

In the Matter of the Application of GEORGE A. MITCHELL for a permit to operate as a contract motor carrier of property in intrastate commerce between Salt Lake City, Lehi, Provo, Payson, Nephi, Salina, Parowan, and Cedar City, Utah via Highways Nos. 91, U-13 and 89.

Disposition: Order issued May 23, 1935 dismissing application without prejudice.

CASE NO. 1724

In the Matter of CENTRAL HEATING COMPANY withdrawal from service as a public utility.

Submitted: January 23, 1935. Decided: Feb. 25, 1935.

Disposition: Order issued authorizing applicant to discontinue rendering service as a public utility serving heat in Provo, Utah.

CASE NO. 1725

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH to abandon existing grade crossing of the Provo Branch of the Los Angeles and Salt Lake Railroad Company and the grade crossing of the Alta Branch of The Denver and Rio Grande Western Railroad Company, near Midvale, Salt Lake County, Utah, and the substitution therefor of an underpass crossing of said tracks.

Disposition: Special order issued March 25, 1935 granting the application of the State Road Commission of Utah for permission to abandon an existing grade crossing on the Provo Branch of the Los Angeles & Salt Lake Railroad Company, and an existing grade crossing on the Alta Branch of The Denver and Rio Grande Western Railroad Company at or near Midvale, Salt Lake County, Utah and the substitution therefor of an underpass crossing, subject to the determination by the Commission as to what shall be a fair, just, and reasonable participation in the cost thereof among the State Road Commission of Utah, the Los Angeles & Salt Lake Railroad Company, and The Denver and Rio Grande Western Railroad Company.

CASE No. 1726

In the Matter of the Application of BEALY S. CUTLER for a license to operate as a common motor carrier of property in interstate commerce between Utah-Idaho State Line and Blue Creek and Tremonton, Utah, upon Highway No. U. S. 30.

Submitted: February 15, 1935. Decided: May 20, 1935.

Disposition: Interstate Carrier License No. 81 issued authorizing applicant to operate as a common motor carrier of property, including U. S. Mail, between the Utah-Idaho State line and Tremonton, Utah, via U. S. Highway No. 30-S.

CASE No. 1727

In the Matter of the Application of INLAND PACIFIC STAGES for a certificate of convenience and necessity to operate intrastate service for the carriage of passengers and light express over Highway No. 50 between Castle Gate, Utah and Utah-Colorado State line. (Pending.)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF UTAH

In the Matter of the Application of SALT
LAKE TRANSPORTATION COM-
PANY for a Certificate of Convenience
and Necessity to operate as a public carrier
of passengers by automobile between Salt
Lake City, Salt Lake County, Utah, and
Henefer, Morgan County, Utah, over the
route hereinafter set forth. } Case No. 1728

Submitted: February 4, 1935. Decided: March 18, 1935.

Appearances:

Morris Christensen,	}	for
Attorney,		Applicant.
D. Howe Moffat, Attorney	}	for
		Utah Transportation Co.

REPORT OF THE COMMISSION

By the Commission:

Under date of January 17, 1935, application was filed with the Public Utilities Commission of Utah by Salt Lake Transportation Company for a Certificate of Convenience and Necessity to operate between Salt Lake City and Henefer, Utah. This matter came on regularly for hearing before the Commission at Salt Lake City, Utah, on February 4, 1935, after due and legal notice given to interested parties.

From the evidence adduced for and in behalf of interested parties, the Commission makes the following findings:

That applicant, Salt Lake Transportation Company, is a corporation organized and existing under the laws of the State of Utah, with its principal place of business at Salt Lake City, Utah; that applicant has for a number of years past operated sight-seeing buses out of Salt Lake City to various points of interest to tourists, including Bingham Canyon, Saltair, Timpanogos Cave, and Aspen Grove, under authority of Certificate of Convenience and Necessity granted by this Commission; that in the present application, applicant desires authority to extend its sight-seeing operations from Salt Lake City to Henefer over and upon a new highway being constructed by the State of Utah and the Federal Government through Emigration Canyon, over Big Mountain, and along what is known as the

"Old Mormon Trail"; that the highway over which applicant proposes to operate is completed for a distance of about nine miles from Salt Lake City, and that the remainder of the highway will not be completed for perhaps another year.

Applicant claims that when the road is completed, public convenience and necessity will require the operation of a transportation line both for sight-seeing purposes and general transportation purposes between Salt Lake City and Henefer. Applicant proposes to enter into an arrangement with the Union Pacific Railroad Company whereby during the tourist season of each year people may get off the train at Henefer, and board buses of applicant, travel to Salt Lake City over the route under consideration, thereby enabling tourists to enjoy the scenery and scenic attractions of the route between Henefer and Salt Lake City. Applicant proposes to have a competent lecturer on its buses to point out interesting landmarks, and furnish other information to tourists who may patronize the service of applicant.

It is shown that the present population and conditions in the territory between Salt Lake City and Henefer do not justify a regular daily passenger service, but when the road is completed between Salt Lake City and Henefer, applicant proposes to serve all tourist requirements, and in addition provide service for people living in summer homes and on ranches in Emigration Canyon. Applicant does not propose to run a regular daily service between these points, but merely furnish sight-seeing trips when there is a demand for it. Applicant is able financially, and has sufficient equipment to render the service applied for.

The Commission is faced, in this case, with the proposition of granting a Certificate of Convenience and Necessity to an applicant to operate over a highway that is not yet built, and it is problematical as to just when said highway will be completed. On the record made in the case, however, it would seem that when the highway is completed between Salt Lake City and Henefer through Emigration Canyon, a new source of scenic attraction will be available to tourists, and others, and that public convenience and necessity will require the operation of a sight-seeing line to provide facilities for those desiring to visit this section of the State.

The Commission has held heretofore that the sight-seeing business which is a means of attracting tourists to the State is a business to be encouraged.

From the foregoing findings, the Commission concludes and decides that the application should be granted.

ORDER

Certificate of Convenience and Necessity No. 431

This case being at issue upon application on file, and having been duly heard and submitted by the parties, and full investigation of the matters and things involved having been had, and the Commission having, on the date hereof, made and filed a report containing its findings and conclusions, which said report is hereby referred to and made a part hereof:

IT IS ORDERED, that the application herein of Salt Lake Transportation Company for a Certificate of Convenience and Necessity to operate sight-seeing buses between Salt Lake City and Henefer, Utah, over and upon a new highway now being constructed by the State of Utah, and the Federal Government, through Emigration Canyon, over Big Mountain, and along what is known as the "Old Mormon Trail," serving tourists who desire to take advantage of this service, and also residents of summer homes and ranches along the route designated, be, and it is hereby granted.

ORDERED FURTHER, that applicant shall maintain on file with the Commission the necessary insurance and bond as required by law, and a copy of its tariff schedule showing rates, time schedule, rules and regulations, and that it shall operate at all times in accordance with the statutes of the State of Utah, and the rules and regulations prescribed by the Public Utilities Commission of Utah governing the operation of common motor carriers over the public highways of the State of Utah, and this order shall be, and is its authority therefor.

(Signed) E. E. CORFMAN,
THOS. E. McKAY,
T. H. HUMPHERYS,

Commissioners.

(Seal)
Attest:

(Signed) F. L. OSTLER, Secretary.

CASE No. 1729

In the Matter of the Application of PAUL GERNAND, d/b/a NORTHWESTERN STAGES to transfer to the UNION PACIFIC STAGES, INC., a corporation, and the UNION PACIFIC STAGES, INC. to take over the operative rights, certificate and license of PAUL GERNAND, to operate as an interstate and intrastate carrier of passengers, baggage, and express between Salt Lake City, Utah and the Utah-Idaho State line, via the Strevell Cutoff:

Submitted: January 29, 1935. Decided: Feb. 1, 1935.

Disposition: Order issued February 1, 1935 provides the following:

Certificate of Convenience and Necessity No. 416 held by Paul Gernand, d/b/a Northwestern Stages cancelled, and Interstate Carrier License No. 35 held by John W. Craig, E. H. Curry, and Paul Gernand, d/b/a Northwestern Stages cancelled, and

Certificate of Convenience and Necessity No. 430 issued authorizing Union Pacific Stages, Inc., to operate as a common motor carrier of passengers, baggage, and express in intrastate commerce between Salt Lake City, Utah and the Utah-Idaho State line, via Highways Nos. U. S. 91 and 30-S. The certificate provides that said carrier may pick up passengers at any point between Salt Lake City and Tremonton destined to points north of Tremonton, but not including Tremonton, and also passengers between the Utah-Idaho State line and Tremonton, but not including Tremonton, destined to points between Tremonton and Salt Lake City, Utah, and

Interstate Carrier License No. 73 issued authorizing Union Pacific Stages, Inc., to operate as a common motor carrier of passengers in interstate commerce between Salt Lake City, Utah and the Utah-Idaho State line, via Highways Nos. U. S. 91 and 30-S.

CASE No. 1730

In the Matter of the Application of ORSON and C. M. LEWIS, d/b/a LEWIS BROTHERS STAGES, to transfer to the UNION PACIFIC STAGES, INCORPORATED, a corporation, and the UNION PACIFIC STAGES, INCORPORATED, to take over the operative rights, certificate and license

of LEWIS BROTHERS STAGES to operate as an interstate and intrastate carrier of passengers, baggage, and express between Salt Lake City, Utah and the Utah-Idaho State line, via Tremonton and Garland.

Submitted: January 29, 1935. Decided: Feb. 1, 1935.

Disposition: Order issued February 1, 1935 provides the following:

Certificate of Convenience and Necessity No. 410 held by Lewis Brothers Stages cancelled; Interstate Carrier License No. 6 held by Lewis Brothers Stages modified to the extent that the operating rights granted thereunder between Salt Lake City and the Utah-Idaho State line, via Highways Nos. U. S. 91, 30-S, and U-41 were cancelled, and

Certificate of Convenience and Necessity No. 429 issued authorizing Union Pacific Stages, Inc. to operate as a common motor carrier of passengers and light express between Salt Lake City and the Utah-Idaho State line, via Highways Nos. U. S. 91, 30-S and U-41, serving intermediate points between Brigham and the Utah-Idaho State line, but excluding any local service between Salt Lake City and Brigham and vice versa, the transportation of express matter to be limited to 100 pounds per parcel and 500 pounds per bus, and

Interstate Carrier License No. 72 issued authorizing the Union Pacific Stages, Inc., to operate as a common motor carrier of passengers, express, and baggage in interstate commerce between Salt Lake City and the Utah-Idaho State line, via Highways Nos. U. S. 91, 30-S, and U-41.

CASE NO. 1731

In the Matter of the Application of RULON TAYLOR for a permit to operate as a contract motor carrier of property (U. S. Mail) between New Harmony and Kanarraville, Utah, over and upon Highway No. 91 and county roads. (Pending.)

CASE NO. 1732

In the Matter of the Application of OWEN TRANSPORTATION COMPANY for a license to operate as a common motor carrier of property in interstate commerce between Utah-Wyoming State line and the Utah-Arizona State line, via Highways Nos. U. S. 30-S, 40, 40-50, and 91.

Submitted: February 6, 1935. Decided: March 14, 1935.

Disposition: Interstate Carrier License No. 74 issued authorizing applicant to operate as a common motor carrier of property in interstate commerce between the Utah-Wyoming State line and the Utah-Arizona State line, via Highways Nos. U. S. 30-S and 91, and between the Utah-Wyoming State line and the Utah-Nevada State line, via Highways Nos. U. S. 30-S and U. S. 40-50.

CASE NO. 1733

In the Matter of the Application of RILEY STEPHENSON for a permit to operate as a contract motor carrier of property in intrastate commerce between Loa, Richfield, Nephi, Sigurd, Salina, and Salt Lake City, Utah via Highways Nos. 91, 89, 25 and 10.

Disposition: Order issued April 23, 1935 dismissing application without prejudice.

CASE NO. 1734

In the Matter of the Application of JOHN W. CRAIG, MART DAVIS, and IRENE R. DAVIS, d/b/a the Rapid Express Company, for a license to operate as a common motor carrier of property between Salt Lake City, Utah, and Weiser, Idaho, via U. S. Highways Nos. 91 and 30-S.

Submitted: February 21, 1935. Decided: March 15, 1935

Disposition: Application granted under authority of Interstate Carrier License No. 75.

CASE NO. 1735

In the Matter of the Application of WILLIAM S. LAURITZEN, d/b/a Bear Lake Stages, for a certificate of convenience and necessity authorizing the operation of a passenger bus line in intrastate commerce between the Utah-Idaho State line and Logan, Utah, via Highway No. 2 and No. 3.

Submitted: March 8, 1935. Decided: May 15, 1935.

Disposition: Application granted under authority of Certificate of Convenience and Necessity No. 435.

CASE No. 1736

In the Matter of the Application of WILLIAM S. LAURITZEN, d/b/a Bear Lake Stages for a license to operate as a common motor carrier of passengers in interstate commerce between Logan, Utah and the Utah-Idaho State line, enroute to Idaho points, via Highways Nos. 2 and 3.

Submitted: March 8, 1935. Decided: May 15, 1935.

Disposition: Application granted under authority of Interstate Carrier License No. 80.

CASE No. 1737

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for the improvement or abandonment of existing overhead crossing of State Highway No. 114 North of Provo, Utah County, Utah.

Submitted: March 1, 1935. Decided: March 22, 1935.

Disposition: Report and Order issued on April 26, 1935, superseded report and order issued March 22, 1935. The Commission ordered "that the said overhead structure maintained by the Los Angeles & Salt Lake Railroad Company for the accommodation of the Utah-Idaho Sugar Company be abandoned and removed from State Highway No. 114 or reconstructed at the sole cost of the Utah-Idaho Sugar Company, according to the plans of and under the direction of the State Road Commission of Utah."

CASE No. 1738

In the Matter of the Application of E. M. CRAGUN for a license to operate as a common motor carrier of property in interstate commerce between Salt Lake City, Utah and Casper, Wyoming, via Highways Nos. 91, 30 and 287 East.

Submitted: April 22, 1935. Decided: May 13, 1935.

Disposition: Interstate Carrier License No. 79 issued authorizing applicant to operate as a common motor carrier of property in interstate commerce between Salt Lake City, Utah and the Utah-Wyoming State line, via Highways Nos. U. S. 91 and 30-S.

CASE NO. 1739

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to replace the existing overhead structure over the Ogden branch of The Denver and Rio Grande Western Railroad Company and State Highway No. 108 in Davis County, Utah.

Submitted: March 27, 1935. Decided: March 30, 1935.

Disposition: Order issued granting the application of the State Road Commission of Utah for permission to replace the existing overhead structure over the Ogden Branch of The Denver and Rio Grande Western Railroad on State Highway No. 108 at or near Syracuse, Davis County, Utah; the State Road Commission of Utah to bear the costs of all the labor involved in the dismantling of the old overhead crossing and the reconstruction of a new overhead crossing as applied for.

CASE NO. 1740

In the Matter of the Application of ALFRED L. HAHN for a license to operate as a common motor carrier of property in interstate commerce between Salt Lake City, Ogden, and the Idaho line, via Highway No. 91.

Submitted: March 12, 1935. Decided: April 1, 1935.

Disposition: Interstate Carrier License No. 76 issued authorizing applicant to operate as a common motor carrier of property in interstate commerce between Salt Lake City, Utah, Ogden, Utah and the Utah-Idaho State line, via Highways Nos. U. S. 91 and U-41.

CASE NO. 1741

In the Matter of the Application of SMITH TRUCK LINES for a license to operate as a common motor carrier of property in interstate commerce between Salt Lake City and Ogden, Utah and points in Idaho, via U. S. Highways 30-S and U. S. 91. (Pending.)

CASE NO. 1742

In the Matter of the Application of LEVI R. REED for a license to operate as a common motor carrier of property in interstate commerce between Salt Lake City and Ogden and Manila, Utah, via U. S. Highways Nos. 91, 30-S and U-43.

Submitted: April 4, 1935. Decided: April 27, 1935.

Disposition: Application granted under authority of Interstate Carrier License No. 78.

CASE No. 1743

In the Matter of the Application of D. A. REED for a license to operate as a common or contract motor carrier of property in interstate commerce between Salt Lake City, Utah and the Wyoming line, via Highways Nos. 30 and 91.

Disposition: Order issued May 7, 1935 dismissing the application without prejudice.

CASE No. 1744

In the Matter of the Application of WILLIAM S. HERBERT for a license to operate as a common motor carrier of property in interstate commerce between Salt Lake City, Utah and Jackson, Wyoming, via Highways Nos. 40, 530, 30, 278 and 187.

Submitted: April 4, 1935. Decided: May 3, 1935.

Disposition: Interstate Carrier License No. 77 issued authorizing applicant to operate as a common motor carrier of property in interstate commerce between Salt Lake City, Utah and the Utah-Wyoming State line, via Highways Nos. 40, U. S. 530, and U. S. 30-S.

CASE No. 1745

In the Matter of the Application of the UTAH POWER & LIGHT COMPANY for a certificate of convenience and necessity to exercise the rights and privileges conferred by franchise granted by the Town of Oakley, Summit County, Utah.

Submitted: April 25, 1935. Decided: May 9, 1935.

Disposition: Application granted under authority of Certificate of Convenience and Necessity No. 434.

CASE No. 1746

In the Matter of the Application of FORTNER TRUCK SERVICE for a permit to operate as a contract motor carrier of property in intrastate commerce between Salt Lake City and Lyman, Utah, via Highways Nos. 91 and 89.

Disposition: Order issued May 20, 1935 dismissing application without prejudice.

CASE No. 1747

In the Matter of the Application of FULLER-TOPONCE TRUCK COMPANY, a corporation, for transfer and assignment of a certificate of convenience and necessity. (Pending.)

CASE No. 1748

In the Matter of the Application of FULLER-TOPONCE TRUCK COMPANY, a corporation, for transfer and assignment of permit to operate as a contract motor carrier of property in intrastate commerce. (Pending.)

CASE No. 1749

In the Matter of the Application of FULLER-TOPONCE TRUCK COMPANY, for a transfer of License No. 19 from P. W. Fuller and R. C. Toponce operating under the name and style of FULLER & TOPONCE TRUCK COMPANY, a partnership, to FULLER-TOPONCE TRUCK COMPANY, a corporation. (Pending.)

CASE No. 1750

In the Matter of the Application of GARRETT TRANSFER & STORAGE COMPANY for a license to operate as a common motor carrier of property between Utah-Idaho State line and Utah-Nevada State line, via Highways Nos. 91, 30-S, 41, 40 and 50. (Pending.)

CASE No. 1751

In the Matter of the Application of E. H. CURRY, d/b/a Midland Stages, to discontinue operation and to transfer his operative rights to United Stages System, a corporation, and of UNITED STAGES SYSTEM, INC., to acquire permits and licenses for operation as a common motor carrier of passengers, baggage, and express in interstate commerce between Salt Lake City, Utah and the Utah-Nevada State line, via Grantsville and over U. S. Highway No. 40. (Pending.)

CASE No. 1752

In the Matter of the Application of LESLIE S. DUNN for a permit to operate as a contract motor carrier of property in intrastate commerce between Logan, Utah and Draper, Utah, via Highways Nos. 30-S and 91. (Pending.)

CASE No. 1753

In the Matter of the Application of EASTERN UTAH TRANSPORTATION COMPANY for a license to operate as a common motor carrier of property between Salt Lake City, Utah and the Utah-Colorado State line, via Highways Nos. 91 and 40.

Submitted: May 17, 1935. Decided: June 6, 1935.

Disposition: Application granted under authority of Interstate Carrier License No. 83.

CASE No. 1754

In the Matter of the Application of MARION CAMPBELL for a license to operate as a common motor carrier of property in interstate commerce between Manila, Utah and Utah-Wyoming State line over and upon Highway No. U-43.

Submitted: May 17, 1935. Decided: May 29, 1935.

Disposition: Application granted under authority of Interstate Carrier License No. 82.

BEFORE THE PUBLIC SERVICE COMMISSION
OF UTAH

In the Matter of the Application of F. W. GOMPH, as agent for Southern Pacific Company, The Western Pacific Railroad Company, Los Angeles and Salt Lake Railroad Company, Oregon Short Line Railroad Company, Union Pacific Railroad Company, and The Denver and Rio Grande Western Railroad Company, for an Order Authorizing Increases in Freight Rates and Charges Resulting from Publication of Changes in Rules and Regulations Governing Number of Diversions or Reconsignments of Fresh Fruits and Vegetables.

} Case No. 1755

Submitted: April 27, 1935.

Decided: May 18, 1935.

Appearances:

Geo. H. Smith, R. B. Porter and W. Hal Farr,
Attorneys

J. A. Gallaher and
B. W. Robbins, Attorneys

A. H. Nebeker, Attorney

} for
Union Pacific
System.
} for The D. & R. G. W.
R. R. Co.
} for Southern Pacific Co.,
and Applicants.

REPORT OF THE COMMISSION

By the Commission:

An application was filed with the Commission (P. U. C. U.) on April 16, 1935, by F. W. Gomph as Agent for the Southern Pacific Company, The Western Pacific Railroad Company, Los Angeles and Salt Lake Railroad Company, Oregon Short Line Railroad Company, Union Pacific Railroad Company, and The Denver and Rio Grande Western Railroad Company for authority to increase freight rates and charges resulting from the publication of changes in rules and regulations governing the number of diversions or reconsignments of fresh fruits and vegetables. No protests were entered to the granting of the application.

This matter came on regularly for hearing before the Commission (P. U. C. U.) at its office in the State Capitol, Salt Lake City, Utah, on April 27, 1935, after due and legal notice given to interested parties. Proof of publication of notice of hearing was filed with the Commission, and accepted as part of the record.

From the evidence adduced for and in behalf of the applicants, the Commission finds:

That applicant, F. W. Gomph, whose address is San Francisco, California, is an agent for the several carriers who are the parties to this application; that the Southern Pacific Company, The Western Pacific Railroad Company, Los Angeles and Salt Lake Railroad Company, Oregon Short Line Railroad Company, Union Pacific Railroad Company, and The Denver and Rio Grande Western Railroad Company are all carriers for hire by rail operating in the State of Utah both in intrastate and interstate traffic; that applicant, F. W. Gomph as agent for the several carriers proposes to publish new rules and regulations governing the number of diversions or reconsignments that may be made in the shipment of fresh fruits and vegetables, the proposed changes to be made in the following tariffs:

S. P. C. Tariff 230-J., P. U. C. U. No. 82

W. P. R. R. Circular No. 541-D., P. U. C. No. 173

L. A. & S. L. R. R. Tariff 6061-F, Utah P. U. C. No.

O. S. L. R. R. Tariff 6061-F, Utah P. U. C. No. 330

U. P. R. R. Tariff 6061-F, Utah P. U. C. No. 330

D. & R. G. W. R. R. Tariff 6450-D, Utah P. U. C. No. 195.

The tariff changes and the rules and regulations which applicants seek authority to publish in their respective tariffs are as follows:

Bananas; Berries, other than cold pack; Cantaloupes; Cocoanuts (but not including other edible nuts); Corn, fresh or green, other than cold pack; Cranberries; Fruits, fresh or green, other than cold pack; Melons; Pineapples; or Vegetables, fresh or green, other than cold pack (including Potatoes and Onions), in carloads, may be diverted or reconsigned on this company's lines, subject to the following rules, regulations and charges:

(a) These rules apply to a car which is in the possession of this line as a road haul carrier, or while on its public delivery or other tracks, or while the car is on private or assigned sidings connected with this line; also when such car has reached billed destination on this line and has been delivered to a switching road for placement.

(b) When an order under these rules is received by this line, diligent effort will be made to locate the car and effect the change desired while on this line, but this line will not be responsible for failure to effect the change ordered unless such failure is due to the error or negligence of its employees.

(c) When an order under these rules is received by this line and the car has been delivered to a switching carrier (for delivery, or for transfer to a connecting carrier), this line will make diligent effort to locate the car while on such switching carrier and cause the change desired to be accomplished.

(d) When an order under these rules is received by this line after the car has been delivered to a connecting road-haul carrier, or is received too late for this line to effect the change desired before delivery to a connecting road-haul carrier such order will be promptly transmitted direct to the connecting road-haul carrier to which the car was delivered, when the responsibility of this line will end; and the car will be subject to the rules of the carrier on whose rails the order is accomplished.

(e) If an order is received by the carrier and changed or cancelled by the consignor, consignee or owner before the car has been moved in execution of the order, it will not constitute a diversion or reconsignment order under these rules and only the order governing and the charge applicable to the subsequent order under which the car is moved will be applied.

(f) The provisions of this tariff will not apply on a shipment which is reconsigned or diverted to a point within the switching limits of a destination when such destination is a point to which the shipment was previously billed and at which it had actually arrived and been tendered for delivery.

Note—Under the provisions of this tariff, all points, locations, stations, towns or cities on all lines within the switching limits of each billed destination will be considered one station.

Definitions

The term "Diversion" or "Reconsignment" means:

- (a) a change in the name of the consignee;
- (b) a change in the name of the consignor;
- (c) a change in the destination;
- (d) a change in the route at the request of the consignor, consignee or owner;
- (e) any other instructions given by consignor, consignee or owner necessary to effect delivery and requiring an addition to or a change in billing or an additional movement of the car, or both;

Except as otherwise provided herein, the term "Destination" as used in these rules means the billed destination, or if such destination is served by a terminal yard, then such terminal yard will be considered as the destination.

The term "Switching Limits" as used in these rules means all locations within the recognized switching limits of all carriers serving the billed destination, and not merely the switching limits of the carriers receiving the road-haul movement.

Conditions

The services herein authorized are subject to the following conditions:

- (a) That shipment has not broken bulk except such as incident to an inspection thereof. (See Note.)

NOTE—The term "broken bulk" as used herein is not to be construed as applying to the removal of samples of the lading of the cars for such purposes as inspection, grading or testing (provided such samples are not removed from the premises or property of this line), nor to carload shipments stopped in transit under tariff authority to partly unload or to complete loading.

- (b) An order for diversion or reconsignment will not be accepted under these rules at or to a station or to a point of delivery against which an embargo is in force, but a shipment made under an authorized permit is not subject to this condition;
- (c) On a "Straight" bill of lading consignment the original bill of lading should be surrendered or other proof of ownership established. On a shipment consigned "To Order" an order to divert or reconsign under these rules will not be effective until the original bill of lading is surrendered for cancellation, endorsement, or exchange, or in its absence, satisfactory bond of indemnity executed in lieu thereof or other approved security given;

NOTE—When the original bill of lading covering an "Order-Notify" shipment is not available and a certificate to that effect is executed by the consignee or claimant, the shipment will be delivered upon an indemnity bond (either individual or blanket) or other satisfactory assurance in lieu of the bill of lading, provided that where a bond is executed a condition of the same shall be that the bill of lading will be obtained and surrendered immediately upon receipt of advice by the party executing the bond that the bill of lading is available. The provisions of this Note do not in any way modify the application of Rule 7 of Western Classification No. 61 (Consolidated Freight Classification No. 6) R. C. Pyfe, Agent, I. C. C. No. 19, or successive issues thereof.

- (d) A request for diversion or reconsignment must be made or confirmed in writing, and an order for diversion or reconsignment which specifies that through rate is to be protected will not be construed as obligating carriers to protect other than the lawful rate and charges under these rules. (See Rule 2). When an order for diversion or reconsignment requires protecting of a rate and/or route which cannot be lawfully applied via the point at which diversion or reconsignment is made, prompt notice shall be given to the party requesting the diversion or reconsignment; and unless such order also contains the alternative of forwarding car as originally billed, the car will be stopped for orders subject to the provisions of Rule 5.
- (e) That no back haul is involved except as expressly provided in Rule 2(b);

- (f) All charges against the property, whether accrued or accruing under these rules or otherwise, must be paid, or guaranteed to the satisfaction of the carrier, by the party or parties requesting the diversion or reconsignment before car is diverted or reconsigned.

EXCEPTIONS

No Diversion or Reconsignment Charge Will Apply:

Where a change in route is made necessary by embargo placed against the billed destination or route thereto subsequent to acceptance of the car by carrier at point of origin.

RULE 1

Transfers and waybills covering a car diverted or reconsigned under these rules also freight bills where the diversion or reconsignment charge is to be collected from the consignee, should bear separate notation stating where and when the diversion or reconsignment was effected, and what charges, if any, were assessed.

RULE 2

Application of Freight Rates:

(a) Where the through rate is authorized under these rules, it is the applicable rate (local rate, joint rate, or combination of intermediate rates) in effect on date of shipment from point of origin over the route of movement via the diversion or reconsignment point to final destination. (See Rule 5).

(b) If a car is diverted or reconsigned and the rate from point of origin to the destination to which car is diverted or reconsigned is not applicable over route of movement, via the diversion or reconsignment point, the tariff rate from point of origin to such destination, plus tariff rate from junction point, or points from which out-of-line haul begins, to diversion or reconsignment point, plus tariff rate from diversion or reconsignment point to junction point of out-of-line haul or point where out-of-line haul ceases, will apply.

RULE 3

Demurrage and Track Storage Rules:

Cars stopped, diverted, or reconsigned under these rules also will be subject to demurrage and track storage charges lawfully in effect at the point where stopping, diversion, or reconsignment is accomplished.

RULE 4

Switching Charges:

If an order under these rules is effected after arrival of a car at the billed destination and after such car has been delivered to a connecting road, which necessitates the return of the car to this line or the movement to another or different connecting line, the published switching or other applicable charges (see Note) of such connecting road or roads will be in addition to the other charges provided herein.

Where the combination of local or proportional rates is applied to and from the diversion or reconsignment point, switching or other applicable charges at such point will be added or absorbed to the same extent as is authorized in connection with the local or proportional rates which are applicable to the shipment.

RULE 5

Stopping in Transit:

If a car is stopped for orders for the purpose of delivery, diversion or reconsignment or reforwarding, the stop will be considered as constituting a diversion or reconsignment under Rule 6, and the point where the car is stopped will be considered the destination of the freight.

RULE 6

If a car is diverted or reconsigned under these rules the through rate (Rule 2) will be applied, and the charges, if any, listed below will be made for such service:

First diversion or reconsignment	no charge
Second diversion or reconsignment	no charge
Third diversion or reconsignment	no charge
Fourth diversion or reconsignment	\$2.70 per car
Each diversion or reconsignment subsequent to fourth	\$6.30 per car

EXCEPTION 1—

(a) One change in the name of the consignee without additional movement of the car shall NOT be counted as a diversion or reconsignment under this rule.

(b) One change in destination or route before arrival of the car at first billed destination shall NOT be counted as a diversion or reconsignment under this rule.

EXCEPTION 2—The diversion or reconsignment charge will not be made when the local or joint line-haul rates are charged to and from the point of diversion or reconsignment.

NOTE 1.—The number of diversions or reconsignments shall be computed by counting each diversion or reconsignment made after leaving the point of origin, whether the diversion or reconsignment is made on this line or on connecting line.

RULE 7

Minimum Quantity Diverted or Reconsigned:

Freight shipped at less-than-carload or any-quantity ratings, when forwarded in one car, from one station, on one day, by one shipper, on one bill of lading, for delivery to one consignee at one station, will be diverted or reconsigned subject to the same rules and charges as applicable to carload freight, provided the revenue paid thereon is not less than charged for 15,000 pounds on shipments for the movement of which, in less than carload quantities, a refrigerator or ventilator car will be furnished under current tariffs, and is actually used; on all freight in ordinary equipment 24,000 pounds, or when car is fully loaded.

The rules which applicants propose to publish are those promulgated by the National Diversion and Reconsignment Committee and have been approved for application on interstate traffic in Western Classification territory, effective June 1, 1935. It is the carriers' purpose in the present application to publish rules on intrastate traffic in conformity with those applying on interstate traffic.

Under the proposed rules, increases occur on fresh fruits and vegetables (except potatoes) in that the present rules provide for any number of diversions or reconsignments without charge, whereas under the proposed rules, three diversions or reconsignments may be had without charge, the fourth to be charged for at \$2.70 a car, and the fifth and those subsequent thereto \$6.30 per car. In the case of potatoes, present rules permit three diversions or reconsignments without charge, \$2.70 for the fourth, \$6.30 for the fifth, and \$9.00 for each diversion or reconsignment subsequent to the fifth. Under the proposed rule, there will be no charge for the first three diversions or reconsignments, \$2.70 per car for the fourth, and \$6.30 per car for the fifth and each one subsequent thereto.

It is shown that in connection with interstate traffic, numerous abuses have arisen in connection with diversions and reconsignments of fresh fruits and vegetables. On intrastate traffic within the State of Utah, such abuses have not been noticeable for the reason that little use is made of the privileges

obtaining under the present rules with respect to diversions and reconsignments. Applicant's testimony shows that in 1934, approximately only three carloads of fresh fruits and vegetables were handled in Utah on intrastate traffic on which more than one diversion or reconsignment occurred. In each of these cases, only two diversions took place. Therefore, granting of the present application will result in technical increases only in so far as such rules are applicable to intrastate traffic in the State of Utah.

Applicant proposes to publish the revised and amended rules to become effective June 1, 1935, on a parity with those applicable on interstate traffic.

Now, therefore, by reason of the findings aforesaid, and the files and record in the case, the Commission is of the opinion and concludes that the granting of the application will have no detrimental effects on such traffic within the State of Utah as may be affected thereby, and that the carriers should be allowed to publish the proposed rules in order that said rules may be uniform with those applicable on interstate traffic.

An appropriate order will follow.

(Signed) E. E. CORFMAN,
THOS. E. McKAY,
T. H. HUMPHERYS,

Commissioners.

(Seal)

Attest:

(Signed) F. L. OSTLER, Secretary.

BEFORE THE PUBLIC SERVICE COMMISSION
OF UTAH

At a Session of THE PUBLIC SERVICE COMMISSION
OF UTAH, held at its office in Salt Lake City, Utah,
on the 18th day of May, A. D. 1935.

In the Matter of the Application of F. W. GOMPH, as agent for Southern Pacific Company, The Western Pacific Railroad Company, Los Angeles and Salt Lake Railroad Company, Oregon Short Line Railroad Company, Union Pacific Railroad Company, and The Denver and Rio Grande Western Railroad Company, for an Order Authorizing Increases in Freight Rates and Charges Resulting from Publication of Changes in Rules and Regulations Governing Number of Diversions or Reconsignments of Fresh Fruits and Vegetables.

} Case No. 1755

ORDER

This case being at issue upon application on file, and having been duly heard and submitted by the parties, and full investigation of the matters and things involved having been had, and the Commission having, on the date hereof, made and filed a report containing its findings and conclusions, which said report is hereby referred to and made a part hereof.

IT IS ORDERED, that the application of F. W. Gomph, as agent for Southern Pacific Company, The Western Pacific Railroad Company, Los Angeles & Salt Lake Railroad Company, Oregon Short Line Railroad Company, Union Pacific Railroad Company, and The Denver & Rio Grande Western Railroad Company, for an Order authorizing increases in freight rates and charges resulting from publication of Changes in Rules and Regulations Governing Number of Diversions or Reconsignments of Fresh Fruits and Vegetables, be, and the same is hereby granted.

ORDERED FURTHER, that applicants may make publication of changes in Rules and Regulations governing the number of diversions or reconsignments of fresh fruits and vegetables to become effective not earlier than June 1, 1935, on five days notice to the Commission and the Public.

By the Commission.

(Signed) F. L. OSTLER, Secretary.

(Seal)

BEFORE THE PUBLIC SERVICE COMMISSION
OF UTAH

In the Matter of the Application of F. W. GOMPH, as agent for Southern Pacific Company, The Western Pacific Railroad Company, Los Angeles and Salt Lake Railroad Company, Oregon Short Line Railroad Company, Union Pacific Railroad Company, and The Denver and Rio Grande Western Railroad Company, for an Order Authorizing Increases in Freight Rates and Charges Resulting from Publication of Changes in Rules and Regulations Governing Number of Diversions or Reconsignments of Fresh Fruits and Vegetables. } Case No. 1755

SUPPLEMENTAL REPORT AND ORDER OF THE
COMMISSION

By the Commission:

The Commission issued its Report and Order on May 18, 1935, in the above entitled matter, granting the application, and authorizing applicants to make publication of the proposed Rules and Regulations governing the number of diversions or reconsignments of fresh fruits and vegetables to become effective not earlier than June 1, 1935, on five days' notice to the Commission and the Public.

It now appearing that applicants desire to make the amended Rules and Regulations effective June 1, 1935, and that publication on five days' notice will not give sufficient time to applicants to make the Rules and Regulations effective June 1, 1935,

IT IS THEREFORE ORDERED, that applicants may make publication of the proposed Rules and Regulations to become effective not earlier than June 1, 1935, on one day's notice to the Commission and the public.

Dated at Salt Lake City, Utah, this 28th day of May, 1935.

(Signed) E. E. CORFMAN,
THOS. E. McKAY,

Commissioners.

(Seal)

Attest:

(Signed) F. L. OSTLER, Secretary.

CASE NO. 1756

In the Matter of the Application of W. L. OLSEN for a permit to operate as a contract motor carrier of property in intrastate commerce, between Salt Lake City and Logan, Salt Lake City and Cedar City, Salt Lake City and Ely, Nevada, via Highways Nos. 91 and 40. (Pending.)

CASE NO. 1757

In the Matter of the Application of COLORADO UTAH STAGES, INC., to discontinue the operation of a motor transportation line for the transportation of passengers in interstate commerce, and the SOUTHERN KANSAS STAGE LINES COMPANY to take over and assume the operation of a motor transport line for transportation of passengers as heretofore rendered by Colorado Utah Stages, Inc. (Pending.)

CASE NO. 1758

In the Matter of the Application of PETITIONERS for an Order of the Public Utilities Commission of Utah requiring THE DENVER & RIO GRANDE WESTERN RAILROAD COMPANY to install and operate a mechanical signal and maintain a flagman at the intersection of Center Street, Midvale City, Utah and the main line and spur of The Denver & Rio Grande Western Railroad Company in the interest of public safety. (Pending.)

CASE NO. 1759

In the Matter of the Application of THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY, LOS ANGELES AND SALT LAKE RAILROAD COMPANY, SALT LAKE AND UTAH RAILROAD COMPANY, and TOOELE VALLEY RAILWAY COMPANY to eliminate rates on ore, concentrates, matte, precipitates, slag, and flue dust subject to declared valuation by shippers. (Pending.)

CASE NO. 1760

In the Matter of the Application of LaMONT WILLIAM GRIFFIN for a permit to operate as a contract motor carrier of property in intrastate commerce between Logan, Ogden and Clarkston, Utah, via Highways Nos. 91 and 30.

Disposition: Order issued May 24, 1935 dismissing application without prejudice.

CASE NO. 1761

UTAH LAKE DISTRIBUTING COMPANY, et al.,
Complainants, vs. UTAH POWER AND LIGHT COM-
PANY, Defendant.

Disposition: Order issued May 1, 1935 extending until October 31, 1935 rates for pumping purposes as covered by Order dated March 29, 1922 in Case No. 441.

CASE NO. 1762

In the Matter of the Application of the OREGON SHORT LINE RAILROAD COMPANY, a corporation, for permission to discontinue the operation of its station at Dewey, Utah as an agency station. (Pending.)

CASE NO. 1763

In the Matter of the Application of RIO GRANDE MOTOR WAY, INC., for a certificate of public convenience and necessity for the transportation of passengers, baggage, and express in intrastate commerce and for a license for the transportation of passengers, baggage and express in interstate commerce, all by motor buses between Salt Lake City, Utah and the Utah-Colorado State line, via Provo, Springville, Thistle, Soldier Summit, Castlegate, Helper, Price, Greenriver, and Cisco, and all intermediate points over U. S. Highways Nos. 91 and 50. (Pending.)

CASE NO. 1764

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for the establishment of a new grade crossing of State Highway No. 26 over the Silver City Branch of the Los Angeles and Salt Lake Railroad Company in Juab County, Utah. (Pending.)

CASE NO. 1765

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to establish a grade crossing of the State Highway No. 26 over the Tintic Branch of The Denver and Rio Grande Western Railroad Company near Silver City in Juab County, Utah. (Pending.)

CASE No. 1766

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for the relocation of a grade crossing of State Highway No. 36 over the main line of the Los Angeles and Salt Lake Railroad Company at St. John in Tooele County, Utah. (Pending.)

CASE No. 1767

In the Matter of the Application of L. O. LARSON for a license to operate as a contract motor carrier of property between Salt Lake City, Utah and Twin Falls, Idaho, via Highways Nos. 30, 91 and 25. (Pending.)

CASE No. 1768

In the Matter of the Application of LYLE BRINGHURST for a certificate of convenience and necessity to operate as a common motor carrier of property in intrastate commerce between Marysville, Piute County and Panguitch, Garfield County, Utah, serving all intermediate points.

Submitted: May 31, 1935. Decided: June 27, 1935.

Disposition: Application granted under authority of Certificate of Convenience and Necessity No. 437.

CASE No. 1769

In the Matter of the Application of FRANK L. COLBY for permission to operate as a common motor carrier of property between Salt Lake City, Utah and Delta, Hinckley, Deseret, Oak City, and Oasis, Utah. (Pending.)

CASE No. 1770

In the Matter of the Application of NEWELL K. WARNER for permission to operate as a common motor carrier of property between Salt Lake City, Utah and Levan, Scipio, Holden, and Fillmore, Utah. (Pending.)

CASE No. 1771

In the Matter of the Application of PETTY & RIDDLE, INC., for a permit to operate as a contract motor carrier of property between Cedar City and Pintura, Utah, via Highway No. 91. (Pending.)

CASE NO. 1772

In the Matter of the Application of LaVOR BROWN for a permit to operate as a contract motor carrier of property in intrastate commerce between Loa and Richfield, Utah, and intermediate points.

Disposition: Order issued June 6, 1935 dismissing application without prejudice.

CASE NO. 1773

In the Matter of the Application of UTAH LIGHT AND TRACTION COMPANY to remove its tracks and equipment on Twenty-first South Street between Eleventh East and Fifteenth East Streets in Salt Lake City, Utah.

Submitted: June 5, 1935. Decided: June 21, 1935.

Disposition: Application granted.

CASE NO. 1774

In the Matter of the Application of R. J. MARSDEN for a license to operate as a common motor carrier of property in interstate commerce between Ogden, Utah and the Utah-Idaho State line, via Highways Nos. U. S. 91 and U. S. 30-S, and Utah 41. (Pending.)

CASE NO. 1775

In the Matter of the Application of ARLESS SLUDER d/b/a NORTHWESTERN MOTOR LINES for a license to operate as a common motor carrier of freight and express in interstate commerce between Salt Lake City and the Utah-Idaho State line, via Highways Nos. 91, 30 and 41.

Disposition: Order issued May 23, 1935 dismissing application without prejudice.

CASE NO. 1776

In the Matter of the Application of GEORGE GOURLEY for a certificate of convenience and necessity to operate an automobile bus line between Eureka and East Tintic Mines, and intermediate points.

Submitted: June 7, 1935. Decided: June 28, 1935.

Disposition: Certificate of Convenience and Necessity No. 438 issued authorizing applicant to operate as a common motor carrier of passengers in intrastate commerce between Eureka, Utah and the mines of the East Tintic District, via Highways Nos. U-26 and secondary to U-26.

CASE NO. 1777

In the Matter of the Application of J. O. COTANT TRUCK LINES, INC., for a license to operate as a common motor carrier of property in interstate commerce between Salmon City, Idaho and Salt Lake City and Murray, Utah. (Pending.)

CASE NO. 1778

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to replace the existing grade crossing of the main line tracks of The Denver and Rio Grande Western Railroad Company on West 33rd South Street in Salt Lake County with an underpass crossing. (Pending.)

CASE NO. 1779

In the Matter of the Application of UTAH RAPID TRANSIT COMPANY for a certificate of convenience and necessity to operate as a common carrier of passengers and/or baggage and/or express by motor vehicle in Ogden City, Weber County, State of Utah, and to transform the present street car system operated by the applicant into a system of transportation of passengers and/or baggage and/or express by motor vehicle in said city. (Pending.)

CASE NO. 1780

In the Matter of the Application of O. J. AMES for a license to operate as a contract motor carrier of property in interstate commerce between Salt Lake City and Afton, Wyoming, via Highways Nos. 30-S and 91. (Pending.)

CASE NO. 1781

In the Matter of the Application of INLAND PACIFIC STAGES to discontinue operation of passenger and express bus line between Salt Lake City and Price, Utah, and intermediate points, under Certificate of Convenience and Necessity No. 402; to discontinue operation of passenger and express bus line in interstate commerce between Salt Lake City, Utah and the Utah-Colorado State line on U. S. Highway No. 50 under In-

terstate License No. 71 (formerly No. 32); and of RIO GRANDE MOTOR WAY, INC., to assume said operations; and of the application of said INLAND PACIFIC STAGES to transfer all of its right, title, and interest as applicant in Case No. 1727 now pending before said Public Service Commission of Utah for authority to operate a passenger and express bus line in intrastate commerce over U. S. Highway No. 50 between Castle Gate, Utah and Utah-Colorado State line, and intermediate points, and to transfer all its right, title and interest in any certificate of convenience and necessity that may be granted to it in said Case No. 1727, all to said Rio Grande Motor Way, Inc. (Pending.)

CASE NO. 1782

In the Matter of the Application of LELAND HAIR for a permit to operate as a contract motor carrier of property in intrastate commerce between Duchesne, Utah and Salt Lake City, Utah, via Highway No. 40. (Pending.)

CASE NO. 1783

In the Matter of the Application of UTAH LIGHT AND TRACTION COMPANY to substitute automobile bus service for street car service on certain of its lines, and to remove certain of its street car tracks in Salt Lake City, Utah. (Routes 1, 2 and 3.) (Pending.)

CASE NO. 1784

In the Matter of the Application of UTAH TRANSPORTATION COMPANY for a permit to operate as a contract motor carrier of property in intrastate commerce between Salt Lake City and points designated by State Liquor Control Commission at State Stores and/or Package Agencies. (Pending.)

CASE NO. 1785

In the Matter of the Application of N. O. HENRIE BROTHERS for a permit to operate as a contract motor carrier of property between Salt Lake City and points designated by State Liquor Control Commission as State Stores and Package Agencies. (Pending.)

CASE NO. 1786

In the Matter of the Application of UTAH LIGHT AND TRACTION COMPANY to remove certain of its unused tracks and equipment from certain streets in Salt Lake City, Utah. (Pending.)

APPENDIX 2

COMMISSION FINANCES

INFORMAL DOCKETS

SPECIAL PERMISSIONS

CERTIFICATES OF CONVENIENCE
AND NECESSITY

INTERSTATE CARRIER LICENSES

CONTRACT CARRIER PERMITS

GRADE CROSSING PERMITS

ACCIDENTS ON CARRIERS BY
RAIL AND MOTOR VEHICLE

ROAD TAX STATISTICS

SPECIAL PERMISSIONS ISSUED DURING THE PERIOD

July 1, 1934 to June 30, 1935

<i>Name</i>	<i>Number</i>
Arizona Utah Stages, Inc.	1
B. & O. Transportation Co.	1
Bamberger Electric Railroad Co.	11
Bingham and Garfield Railway Co.	1
Denver & Rio Grande Western R. R. Co., The	37
Eastern Utah Transportation Co.	2
Fuller-Toponce Truck Co.	5
Hout, Howard (Bee Hive Stages)	2
Interstate Transit Lines	2
Local Utah Freight Tariff Bureau	15
Los Angeles & Salt Lake R. R. Co.	9
Millard County Telegraph & Telephone Co.	1
Mountain States Tel. & Tel. Co., The	6
Oregon Short Line R. R. Co.	16
Pacific Freight Tariff Bureau	7
Rio Grande Motorway, Inc.	2
Salt Lake-Coalville Stages	2
Salt Lake-Ogden Transportation Co.	3
Salt Lake & Tooele Stages	1
Salt Lake & Utah R. R. Co.	3
Southern Pacific Co.	1
Southern Utah Power Co.	2
Sterling Transportation Co.	7
Swan Creek Electric Co.	1
Telluride Power Co.	1
Transcontinental Passenger Association	1
Union Pacific R. R. Co.	2
Union Pacific Stages, Inc.	1
Union Pacific System	16
Utah Idaho Central R. R. Co., The	18
Utah Light & Traction Co.	10
Utah Power & Light Co.	4
Western Pacific R. R. Co., The	2
Western Passenger Association	3
Western Trunk Line Committee	1
Total	197

STATEMENT OF COMMISSION FINANCES

GENERAL FUND APPROPRIATION

Fiscal Year—July 1, 1934 to June 30, 1935

Appropriation Account	Unexpended Balance July 1, 1934	Allotments	Credits	Transfers	Total Avail- able for Expenditure	Expenditures	Bal. Lapsed into General Fund 6-30-35
Salaries, Wages and Fees \$	371.90	\$12,217.70	\$ 1,596.95	\$ 374.50*	\$14,561.05	\$13,911.84	\$ 649.21
Office Expenses -----	4.64	707.63	125.00	97.84†	935.11	916.37	18.74
Travel -----	704.81	422.23	4.40	97.84†	1,033.60	899.70	133.90
Contingent -----	928.58	18.92	150.00	374.50*	723.00	723.00	
Total -----	\$2,009.93	\$13,366.48	\$1,876.35		\$17,252.76	\$16,450.91	\$ 801.85

MOTOR TRANSPORT FUND

Fiscal Year—July 1, 1934 to June 30, 1935

Salaries, Wages and Fees \$	535.82	\$16,345.57	\$ 90.37		\$16,971.76	\$16,341.59	\$ 630.17
Office Expenses -----	7.41	1,393.53	237.40		1,638.34	1,612.96	25.38
Travel -----	13.56	1,817.87	250.00		2,081.43	1,991.25	90.18
Equipment -----	119.21	1,300.65	375.00		1,794.86	1,372.71	422.15
Legal Expense -----	600.00	264.95			864.95	414.95	450.00
Total -----	\$1,276.00	\$21,122.57	\$ 952.77		\$23,351.34	\$21,733.46	\$ 1,617.88
Grand Total, General Fund and Motor Transport Fund ---	\$3,285.93	\$34,489.05	\$2,829.12		\$40,604.10	\$38,184.37	\$ 2,419.73

*Transferred from "Contingent" to "Salaries, Wages and Fees."

†Transferred from "Travel" to "Office Expenses."

INFORMAL DOCKETS

July 1, 1934 to June 30, 1935

No.	DESCRIPTION	DISPOSITION
281	Robert Price vs. Utah Power & Light Co. Re: Complaint concerning refusal of Utah Power & Light Co. to connect power to residence at Wellsville.	Letter from Power Company dated June 23, 1934 informed the Commission that the connection had been made, and that Mr. Price was entirely satisfied.
282	John Scowcroft & Sons Co. vs. The D. & R. G. W. R. R. Co. Re: Freight collected on carload of canned goods shipped from Ogden to Price, via D. & R. G. W. R. R. Co. was $35\frac{1}{2}$ c per cwt. or \$212.36; that rate of 25c per cwt. became effective and \$139.55 should have been collected.	Defendant ordered to refund \$62.81 to Complainant.
283	Sweet Candy Company vs. The D. & R. G. W. R. R. Co. Re: 1 carload sugar shipped April 28, 1934 from Elsinore to Salt Lake; actual freight collected, \$337.51 @ $33\frac{1}{2}$ c per cwt.; a rate of 17c became effective May 6, and amount should have been \$171.28, or a difference of \$166.23.	Defendant ordered to refund \$166.23 to Complainant.
284	Utah-Idaho Sugar Co. vs. The D. & R. G. W. R. R. Co. Re: Ten carloads of sugar beets consigned to Utah-Idaho Sugar Co. at Spanish Fork diverted to Springville on which \$80.00 demurrage accrued due to manner in which cars were loaded and forwarded to factory.	The D. & R. G. W. R. R. Co. ordered to refund \$80.00 to Utah-Idaho Sugar Company.
285	Rock Asphalt Co. of Utah vs. The D. & R. G. W. R. R. Co. Re: One carload rock asphalt shipped from Sunnyside to Salt Lake City on which freight in the sum of \$80.00 was collected at \$2.00 per ton on minimum of 80,000 lbs.; minimum reduced to marked capacity of car effective July 8, 1934, resulting in \$8.20 overcharge.	Defendant ordered to refund \$8.20 to Rock Asphalt Company of Utah.
286	Pacific States Cast Iron Pipe Co. vs. The D. & R. G. W. R. R. Co. Re: One carload scrap iron shipped from Sugarhouse to Ironton, 122,140 lbs. at $9\frac{1}{2}$ c collected; 5c per cwt. effective June 20, 1934, or overcharge of \$54.96.	Defendant ordered to refund \$54.96 to Pacific States Cast Iron Pipe Company.

No.	DESCRIPTION	DISPOSITION
287	A. G. Hunt vs. Telluride Power Co. Re: Installation of light on Mr. Hunt's ranch at Junction, Utah.	Copy of letter from Telluride Power Co. together with estimate of cost of extending service mailed to Mr. Hunt on December 4, 1933. There was no reply from Mr. Hunt.
288	John B. Magleby vs. The M. S. T. & T. Co. Re: Installation of telephones to homes south of Monroe, Utah.	Letter from Telephone Company advised subscriber had agreed to set poles and help string wire, and connection would soon be completed.
289	Jeanette M. Skeen vs. Utah Power & Light Co. Re: Mrs. Skeen complains that Power Company threatens to disconnect service because of \$30.00 owed by J. H. Skeen for which she is not responsible.	After correspondence with Utah Power & Light Co. complainant asked for dismissal of case.
290	U. S. Smelting, Refining & Mining Co. vs. The D. & R. G. W. R. R. Co. Re: One carload sand shipped from Sand Pit to Lark, Utah on which freight in sum of \$53.52 was assessed and collected, but on which \$35.67 was the correct amount, resulting in an overcharge of \$17.84.	The D. & R. G. W. R. R. Co. ordered to refund \$17.84 to Complainant.
291	Reed Stevens vs. The D. & R. G. W. R. R. Co. Re: Two carloads of feeder cattle shipped from Marysvale to Heber City at \$85.00 per car; rate of \$40.00 became effective March 31, 1934 and Complainant had been damaged in the sum of \$90.00.	Defendant ordered to refund to Complainant \$90.00.
292	Fairmont Apartments vs. Utah Gas & Coke Co. Re: During month of July, 1934, 884 cubic feet of gas were delivered to Complainant, which was excessive. Found equipment faulty.	Defendant ordered to make settlement on basis of amount used during previous month.
293	Utah Oil Refining Co. vs. The D. & R. G. W. R. R. Co. Re: One carload of road oil shipped from Salt Lake to Thistle, on which 15c per cwt. was collected; on which 12c rate became effective, making difference of \$23.07 in which amount Complainant was damaged.	Defendant ordered to refund \$23.07 to Complainant.

No.	DESCRIPTION	DISPOSITION
294	R. L. Price, vs. Utah Power & Light Co. Re: Lights cut off for nonpayment of past bills amounting to \$15.	Power Company agreed to reconnect service upon payment of \$2.50 and promise by Mr. Price to pay current bills as they accrue and in addition \$1.00 and \$2.00 each month on delinquent account until paid in full. This arrangement was satisfactory to Mr. Price.
295	W. J. Dean Contract, Co. vs. The U. I. C. R. R. Co. Re: One carload of cement shipped from Salt Lake to Logan on which a rate of 14c per cwt. on 76,000 lbs. was assessed and collected; on which a subsequent rate of 12c per cwt. became effective, damaging complainant in the sum of \$10.40.	Defendant ordered to refund \$10.40 to Complainant.
296	Utah Oil Refining Co. vs. S. L. & U. R. R. Co. Re: Shipment of two carloads of road oil from Salt Lake to Bello and Warr, Utah consigned to S. L. County at a rate of 7½c; subsequent rate of 5c became effective, resulting in overcharge of \$38.39.	Defendant ordered to refund \$38.39 to Complainant.
297	John Scowcroft & Sons Co. vs. O. S. L. R. R. Co. Re: Shipment of canned milk, Wellsville to Ogden, on which there was a deficit weight of 22,600 lbs.; therefore, collection charge of \$18.63 should be waived.	Defendant authorized to waive collection of \$18.63.
298	Marvin Venable vs. Utah Power & Light Co. Re: Mr. Venable complained that Utah Power & Light Co. wanted too high a price for connecting the lights to render service to his home.	Letter from Utah Power & Light Co. dated August 17 states that a proposition had been worked out whereby Mr. Venable could finance this service within the next month or two.
299	P. U. C. U. of Colorado vs. Mollerup Moving & Storage Company. Re: Shipment of furniture from Salt Lake City to Kansas City held at Denver because of failure of connecting carrier to deliver as per contract.	Mollerup Moving Company adjusted rates and delivery was completed.
300	Utah State Federation of Labor vs. The M. S. T. & T. Co. Re: Failure on part of Telephone Company to give proper connections on telephone of National Re-Employment Service at 117 South West Temple, Wasatch 4989.	Letter dated August 22, 1934 from Utah State Federation of Labor advised that service was now satisfactory.

No.	DESCRIPTION	DISPOSITION
301	L. V. Ford, Complainant, vs. Utah Power & Light Co. Re: Mr. Ford complained that line of Utah Power & Light Co. runs right in front of his home; Company demanded \$132 to connect service to his home.	Letter from Utah Power & Light Co. dated August 17, 1934 advised matter adjusted and Mr. Ford given service on August 13, 1934.
302	United Mine Workers of America, Local Union 5806 vs. Standard Coal Company. Re: Investigation of meters used by Standard Coal Company at Standardville, Utah.	Commission engineers investigated the meters and made report that a test meter had been adjusted, and Mr. Larsen of the Utah Power & Light Co. would check same, which arrangement met with the approval of all concerned.
303	Olof Nelson vs. The U. I. C. R. R. Co. Re: Shipment of nine carloads of Portland Cement on which an overcharge of \$169.10 was complained of.	Defendant ordered to refund \$169.10 on or before October 28, 1934.
304	Citizens of Sugar House and East of Fifteen East St. vs. Utah Light & Traction Co. Re: Citizens asked that 20-minute service be instituted instead of 30-minute service.	Letter from Utah Light & Traction Co. dated March 16, 1934 advised that 20-minute service had been instituted.
305	South Milford Farm Bureau vs. Telluride Power Co. Re: Rates on power used for pumping at Milford.	A meeting was held at Milford, March 28, 1934 between South Milford Farm Bureau and Telluride Power Co. before the Commission. No decision was reached. (Pending.)
306	O. A. Johnson vs. Moab Pipe Line Co. Re: Complaint of Mr. Johnson that Moab Pipe Line held him responsible for his tenant's water bills, for which he was not responsible.	Letter from Mr. Johnson dated October 11, 1934 stated that the matter had been adjusted satisfactorily.
307	W. E. Newman & Sons Co. vs. S. L. & U. R. R. Co. (D. P. Abercrombie, Receiver) et al. Re: Three shipments of culverts and metal bands, Ogden to Payson, on which 41c rate applied and on which 35c rate was sought.	Defendant ordered to refund to Complainant the sum of \$6.40.
308	Utah Oil Refining Co. vs. The D. & R. G. W. R. R. Co. Re: One carload of road oil, weight 78,570 lbs., which moved from Salt Lake to Sugar House, Utah at 6½c per cwt.; rate of 3c became effective September 27, 1934, and Complainant was damaged in amount of \$27.50.	Defendant ordered to refund \$27.50 to Complainant on or before November 26, 1934

No.	DESCRIPTION	DISPOSITION
309	Leland Nelson vs. Utah Power & Light Co. Re: Mr. Nelson complained by letter dated October 1, 1934 that for 15 months he had been promised electric service, but was being put off continually.	Letter from Utah Power & Light Co. stated that the service would be supplied within a day or two.
310	F. E. Worthen vs. Utah Power & Light Co. Re: Mr. Worthen entered into an agreement with Utah Power & Light Co. and Mr. Hyrum Barton wherein Mr. Barton and Mr. Worthen paid an advance of \$400 for extension of service. Mr. Worthen agreed to pay \$6.00 monthly during life of contract. An unpaid balance of \$62.95 remained which covered service contracted for, not actually consumed. Power Company demanded immediate payment or would shut off power.	Mr. Worthen will pay \$2.00 each month in addition to regular bill until payment is completed.
311	James R. Dickson vs. The M. S. T. & T. Co. Re: 25c extra charge which The M. S. T. & T. Co. made on Mr. Dickson's hand set, which he had installed at another address after being advised the 25c charge would be removed because of his having had a hand set in use for three years.	Telephone Company agreed to continue service at new address without payment of 25c extra charge per month.
312	Citizens on Twenty-first South between Eleventh and Thirteenth East St. vs. Utah Light & Traction Co. Re: Extension of service.	Utah Light & Traction Co. instituted trial service on Twenty-first South between Eleventh and Thirteenth East. Such service authorized by letter dated November 2, 1934 to continue until November 30, 1934.
313	Application of The D. & R. G. W. R. R. Co. to be granted permission to waive the Commission's standard clearance requirements at the plant of the Utah Rock Asphalt Co. at Sunnyside. Utah.	Clearance Permit No. 16 granted November 23, 1934.
314	J. J. Crane vs. Wasatch Gas Co. Re: Between Aug. 27 and Sept. 27 due to a leaky gas valve, 26,900 cubic feet of gas escaped which cost Complainant \$9.41.	Defendant ordered to credit account of Complainant in the sum of \$9.41.

No.	DESCRIPTION	DISPOSITION
315	Annie C. Jensen, Complainant, vs. Big Springs Power Co., Defendant. Re: Mrs. Jensen complained through her attorneys, Jensen & Jensen at Ephraim that the Power Company refused electric service to her property at Ft. Green due to an unpaid bill left by a tenant.	Letter from Big Springs Power Co. dated November 20, 1934 advised the Commission that power had now been furnished to the property of Mrs. Jensen.
316	Utah-Idaho Sugar Co. vs. S. L. & U. R. R. Co. (D. P. Abercrombie, Receiver). Re: On November 3, 1934 one carload of pressed beet pulp was shipped from Spanish Fork to Harmon, Utah, weight 100,280 lbs. @ \$1.05 per ton; that rate of 80c per ton should apply.	Defendant authorized to refund \$12.54 to Complainant.
317	Anderson Lumber Co. vs. The U. I. C. R. R. Co. Re: Three carloads of cement shipped from Devils Slide to Logan, aggregate weight 275,550 lbs. on which 14c per cwt. was assessed and collected, on which 12c per cwt. should apply.	Defendant ordered to refund to Complainant, Anderson Lumber Company, \$55.10.
318	Application of U. S. Smelting, Refining & Mining Co. for permission to operate and maintain trackage with impaired clearance for the purpose of providing a storage place for a chlorine tank.	Clearance Permit No. 17 issued January 2, 1935.
319	Tri-Way Brokerage Co. vs. The D. & R. G. W. R. R. Co. Re: One carload peaches shipped from Sutro, Utah to Salt Lake City, consigned to Tri-Way Brokerage Co. on which 45c per cwt. was assessed and collected; on which 25c became applicable, causing overcharge of \$55.97.	The D. & R. G. W. R. R. Co. authorized to make refund of \$55.97 to Complainant.
320	W. E. Newman & Sons vs. The D. & R. G. W. R. R. Co. Re: Refund on two shipments of culverts from Ogden to Marysville and Brendell, respectively, on which a 24,000 lb. minimum carload weight applied; on which a 20,000 lb. minimum became effective, making a \$45.12 overcharge.	The D. & R. G. W. R. R. Co. authorized to make refund of \$45.12 to Complainant.
321	Carl Hosking vs. Utah Power & Light Company. Re: Mr. Carl Hosking of American Fork, Utah complained that his meter at American Fork was registering incorrectly.	Utah Power & Light Company was requested to make meter test and a letter from Mr. Hosking dated January 9, 1935 informed the Commission that the matter had been adjusted.

No.	DESCRIPTION	DISPOSITION
322	Citizens South on Ninth East Street in Salt Lake City, Utah vs. Utah Light & Traction Co. Re: Request by citizens for extension of service from 23rd South to 33rd South on Ninth East.	After investigation, letter from Traction Company dated January 18, 1935 advised they would give trial service, commencing January 21st, for operation on week days only, subject to suspension on 48 hour notice.
323	Mrs. D. T. Broun vs. Indiana Safe Way Lines, Inc. Re: Mrs. Broun turned in an unused ticket to Indiana Safe Way Lines, Inc., at 176 West Adams St., Chicago, and was promised refund but held only receipt.	Took matter up with Illinois Commerce Commission and Mrs. Broun received immediate settlement.
324	M. E. Hardman, vs. State of Nevada. Re: M. E. Hardman made a trip into Nevada on December 14 with a load of property for hire, thereby violating the Nevada law; was arrested and fined \$89.00, which seemed exorbitant.	Took matter up with Public Service Commission of Nevada and received \$80.00 refund, for Mr. Hardman.
325	Mona S. Iba, vs. Utah Power & Light Co. Re: Iba claims bill of \$192 was unjust and unreasonable; that meter was old and he therefore is not responsible.	Complaint adjusted.
326	Mrs. Lovell vs. Utah Power & Light Co. Re: Complainant found to be several months in arrears; service discontinued. Claims meter was creeping and out of order — monthly bills doubled.	Company agreed immediately to restore service and test meter for Complainant.
327	U. S. Smelting, Refining & Mining Co. vs. The D. & R. G. W. R. R. Co. Re: Refund on carload of scrap rail shipped from Salt Lake to Lark, Utah; rate charged \$1.15 per gross ton of 2,240 lbs. plus 11c per cwt. carload minimum weight, 80,000 lbs., rate sought \$2.00 per gross ton of 2,240 lbs.	Defendant authorized to make refund of \$60.53 to Complainant.
328	Application of L. A. & S. L. R. R. Co. for permission to construct and maintain a track extension with impaired clearance to its present track between Iron Springs and Desert Mound, Utah.	Application granted under authority of Clearance Permit No. 18.
329	James H. Tattersall vs. Wasatch Gas Co. Re: Extension of service for chicken coop of Mr. Tattersall, located at American Fork approximately 640 feet from gas main.	Wasatch Gas Company agreed to extend the main to the curb of the premises for \$300; or for \$200 if Mr. Tattersall would dig the trench.

No.	DESCRIPTION	DISPOSITION
330	L. D. Foreman vs. The D. & R. G. W. R. R. Co. Re: Overcharge of \$9.59 on one carload of scrap iron.	The D. & R. G. W. R. R. Co. ordered to refund to Complainant \$9.59 on or before May 2, 1935.
331	Lloyd Evans vs. Utah Power & Light Co. Re: Failure of Utah Power & Light Co. to render service to the residence of Mr. Evans at Kamas, Utah, due to his not having the \$5 deposit required, and his owing a \$5 bill for previous service.	Letter from Power Company dated April 5, 1935 advised the service had been connected
332	Newton Brothers Co. vs. Utah Power & Light Co. Re: Complaint on charges for electric power.	Letter from Power Company dated April 11, 1935 informed the Commission that the matter of rates had been adjusted to the satisfaction of Complainant.
333	Utah Railway Company vs. The D. & R. G. W. R. R. Co. Re: Eight shipments of hardware shipped between Provo and Salt Lake City during 1933 on which legal rate in total amount was \$562.21. A lower legal rate, authorized by tariff submitted brought the total to \$341.53, or a difference of \$221.04, in which amount complainant had been damaged.	Defendant ordered to make refund of \$221.04 to Complainant.
334	Utah Oil Refining Co. vs. The W. P. R. R. Co. Re: Fourteen carloads of gasoline shipped from Salt Lake to Tooele, weight 727,168 lbs. based on rate sought to be applied of 5c per 100 lbs., amount collected \$363.61. Legal rate applicable, 11c per 100 lbs. or \$799.88, or a difference of \$436.27.	Defendant ordered to waive collection of undercharge.
335	Utah Idaho Sugar Company vs. S. L. & U. R. R. Co. Re: Shipment of beet pulp from West Jordan to Spanish Fork on which a rate of 13c per cwt. was legally applied; on which a 6c rate became subsequently effective causing overcharge of \$28.28.	Defendant ordered to refund \$28.28 to Complainant.
336	Application of U. S. Smelting, Refining & Mining Co. for permission to construct and maintain a spur track for loading wedge roast into railroad cars from the sintering plant trestle at its Midvale plant with impaired vertical and side clearance.	Application granted under authority of Clearance Permit No. 19.

No.	DESCRIPTION	DISPOSITION
337	T. O. Wilson vs. The M. S. T. & T. Co. Re: Installation of telephone at 33rd South one block east of Hyland Drive at the residence of T. O. Wilson, on which a prohibitive rate had been quoted.	Letter from Mr. Wilson dated April 26, 1935 advised there had been a mistake made in price quoted; the matter was settled to his satisfaction.
338	W. E. Newman & Sons Co. vs. S. L. & U. R. R. Co. Re: Shipments made from Ogden to points in Utah County during January and February, 1934 on which a rate of 38½c per cwt. was assessed and collected; on which a rate of 35c per cwt. should have applied; aggregate weight, 5825 lbs.	Defendant ordered to refund \$2.03 to Complainant.
339	Gunnison Sugar Company vs. The D. & R. G. W. R. R. Co. Re: Carload of beet sugar final molasses aggregate weight 74,438 lbs. shipped from Sugarton to Moroni, Utah, via The U. I. C. and The D. & R. G. W. R. R. Co. on which a rate of \$4.35 per ton was charged and collected in the sum of \$179.55; on which a \$2.85 rate became effective March 2, 1935, resulting in overcharge of \$61.95.	Defendant ordered under date of May 14, 1935 to refund \$61.95 on or before June 15, 1935.
340	Morrison Merrill Lumber Co. vs. The D. & R. G. W. R. R. Co. Re: 424 bags of cement, 40,280 lbs. shipped from Salt Lake City to Bacchus, Utah, via The D. & R. G. W. R. R. and B. & G. R. R. on which 13c per cwt. was assessed and collected; on which 11c per cwt. became effective, resulting in overcharge of \$8.05.	Defendant ordered under date of May 15, 1935 to refund to Complainant \$8.05.
341	J. M. Chidester vs. The M. S. T. & T. Co. Re: Mr. Chidester's telephone service was disconnected on account of his nonpayment of past due accounts. Mr. Chidester could pay his current bills and needed the service in his business.	Mr. Chidester telephoned on May 15 and informed the Commission that the service had been resumed and everything was entirely satisfactory
342	Application of State Road Commission for permission to retain present impaired vertical clearance at overhead crossing on U. I. C. R. R. near Merrill's Station in connection with reconstruction of structure as set forth in application.	Application granted under authority of Clearance Permit No. 20.
343	Keith Holbrook, Complainant, vs. The M. S. T. & T. Co. Re: Mr. Holbrook's telephone disconnected due to unpaid bills.	Letter dated May 23 from Telephone Company states that service has been reinstated and satisfactory arrangements have been made.

No.	DESCRIPTION	DISPOSITION
344	Arrowhead Petroleum Corporation vs. Southern Utah Power Company. Re: Arrowhead Petroleum Company charged that they had been discriminated against in comparison to rates given the Virgin Dome Oil Company for the same type of service.	After investigation the Commission advised the Arrowhead Petroleum Company that the schedule under which they are receiving power is the correct one.
345	Gunnison Sugar Co. vs. The D. & R. G. W. R. R. Co. Re: Overcharge on one carload of second-hand sugar mill equipment shipped from Quinney to Spearmint, Utah on which a rate of 80c per cwt. was assessed and collected; subsequent rate of 40c per cwt. became effective April 8, 1935; complainant damaged in the amount of \$176.64.	Defendant authorized to make refund to Complainant of \$176.64 on or before July 12, 1935.
346	Morrison-Merrill Company vs. S. L. & U. R. R. Co. (D. P. Abercrombie, Receiver) et al. Re: Overcharge on carload of Portland Cement shipped from Devils Slide to Provo, Utah, due to error in not filing tariff.	Defendant authorized to refund to Complainant \$26.77
347	Morrison-Merrill Co. vs. S. L. & U. R. R. Co. (D. P. Abercrombie, Receiver), et al. Re: Overcharge on carload of Portland Cement shipped from Devil's Slide to American Fork due to error in filing tariff.	Defendant authorized to refund to Complainant \$25.08

CERTIFICATES OF CONVENIENCE AND NECESSITY ISSUED DURING PERIOD

JULY 1, 1934 TO JUNE 30, 1935

Cert. No.	Case No.	To Whom Issued	ROUTE		Type of Service
			Between	And	
419	1579	Martin I. Black	Price	Huntington	Freight
420	1577	Utah Transportation Co.	Salt Lake City	Various scenic points	Passengers
421	1606	Interstate Transit Lines	Lund	Cedar City	Passengers, baggage, express
422	1517	Southern Utah Truck Co.	{Salt Lake City		
			{Cedar City	Meadow, Beaver	Freight
423	1586	Jos. J. Milne Truck Line, Inc.	{Salt Lake City	St. George, Santa Clara	Freight
			{Cedar City	Santa Clara	
424	1603	Comet Motor Express Co.	Salt Lake City	Utah-Colorado Line	Passengers
425	1594	Lyle Bringham	Marysville	Kanab	Freight
426	1605	Arizona-Utah Stages, Inc.	Salt Lake City	Utah-Arizona Line	Passengers, express
427	1608	J. D. & Floyd Brinkerhoff	Price	Emery	Freight
428	1710	Denver-Colorado Springs-Pueblo Motor Way, Inc.	{Salt Lake City	Vernal	Passengers, baggage
			{Vernal	Price	
429	1730	Union Pacific Stages, Inc.	Salt Lake City	Utah-Idaho Line	Passengers, baggage, express
430	1729	Union Pacific Stages, Inc.	Salt Lake City	Utah-Idaho Line	Passengers, baggage, express
431	1728	Salt Lake Transportation Co.	Salt Lake City	Henefer	Passengers
432*	1577	Utah Transportation Co.	Salt Lake City	Various scenic points	Passengers
433	(Not issued)				
434	1745	Utah Power & Light Company	To exercise privileges granted under franchise in City of Oakley, Utah.		
435	1735	William S. Lauritzen	Logan, Utah	Utah-Idaho Line	Passengers
436	1704	Petty & Riddle, Inc.	Cedar City	Kanab	Freight
437	1768	Lyle Bringham	Marysville	Panguitch	Freight
438	1776	George Gourley	Eureka	Tintic Mining District	Passengers

*Certificate No. 432 granted on rehearing in Case No. 1577.

INTERSTATE CARRIER LICENSES ISSUED DURING PERIOD

JULY 1, 1934 TO JUNE 30, 1935

Lic. No.	Case No.	To Whom Issued	ROUTE		Type of Service
			Between	And	
61	1580	Wilson & Truax	Salt Lake City	Utah-Colorado Line	Freight
63	1521	Norton Truck Line	Salt Lake City	Utah-Arizona Line	Freight
64	1604	Comet Motor Express Co.	Salt Lake City	Utah-Colorado Line	Passengers, freight
65	1607	F. A. Schiele	Salt Lake City	Utah-Idaho Line	Freight
66	1612	Utah California Motor Lines	Salt Lake City	Utah-Idaho Line	Freight
67	1711	Denver-Colorado Springs-Pueblo Motor Way, Inc.	Salt Lake City	Utah-Colorado Line	Passengers
68	1718	Burlington Transportation Co.	Utah-Arizona Line	Utah-Wyoming Line	Passengers, baggage
69	1706	Arizona-Utah Stages, Inc.	Salt Lake City	Utah-Arizona Line	Passengers, express
70	1717	Garrett Transfer & Storage Co.	Utah-Idaho Line	Utah-Arizona Line	Freight
71	1714	Inland Pacific Stages	Salt Lake City	Utah-Colorado Line	Passengers
72	1730	Union Pacific Stages, Inc.	Salt Lake City	Utah-Idaho Line	Passengers, baggage, express
73	1729	Union Pacific Stages, Inc.	Salt Lake City	Utah-Idaho Line	Passengers, baggage, express
74	1732	Owen Transportation Co.	Utah-Wyoming Line	Utah-Arizona Line	Freight
75	1734	Rapid Express Co.	Salt Lake City	Utah-Idaho Line	Express
76	1740	Alfred L. Hahn	Salt Lake City, Ogden	Utah-Idaho Line	Freight
77	1744	William S. Herbert	Salt Lake City	Utah-Wyoming Line	Freight
78	1742	Levi R. Reed	Salt Lake City, Ogden	Manila, Utah	Freight
79	1738	E. M. Cragun	Salt Lake City	Utah-Wyoming Line	Freight
80	1736	William S. Lauritzen	Logan, Utah	Utah-Idaho Line	Passengers
81	1726	Bealey S. Cutler	Utah-Idaho Line	Tremonton	Freight, U. S. Mail
82	1754	Marion Campbell	Manila, Utah	Utah-Wyoming Line	Freight
83	1753	Eastern Utah Transportation Co.	Salt Lake City	Utah-Colorado Line	Freight

CONTRACT CARRIER PERMITS ISSUED DURING PERIOD JULY 1, 1934 TO JUNE 30, 1935

Permit No.	Case No.	To Whom Issued	ROUTE		Type of Service
			Between	And	
74	1511	J. Claud Hicken & Sons	Salt Lake City, Provo	Heber City	Freight
75	1559	Byron Carter	Helper	Kenilworth, Mutual, Price	Freight
76	1589	Harold Hansen	{Heber, Charleston, {Wallsburg	Provo	Dairy products, feed
77	1569	Reid & Hunsaker	Salt Lake City	Delta, Deseret, Hinckley	Freight
78	1578	William Campbell	Salt Lake City	Price	Freight
79	1558	Niels Lassen	Panguitch	Salt Lake City	Dairy products
80	1595	J. M. Schwendeman	Lake Shore	Provo	Dairy products
81	1321	Fuller & Toponce Truck Co.	Salt Lake City, Ogden	Utah-Idaho Line	Freight
83	1700	Yellow Cab	Provo	Salt Lake City, Nephi	Freight
84	1695	Lorin E. Twitchell	Marysville	Henrieville	Freight
85	1597	William H. Henline	Charleston, Midway	Provo	Dairy products
86	1719	Oliver Edwards	Heber, Charleston	Provo	Dairy products
87	1640	Frank Allen	Hyrum	Avon	U. S. Mail
88	1624	Ernest N. Sabin	Spanish Fork	Salem	U. S. Mail
89	1699	William J. Ahlstrom	St. John Railroad Station	Clover	U. S. Mail
90	1676	Lewellyn Staples	St. John Depot	Ophir	U. S. Mail
91	1659	Lorenzo R. Davis	Park City	Peoa	U. S. Mail
92	1636	Amos Davis	Faust	Vernon	U. S. Mail
93	1613	Joe O'Berto	Helper	Rains, Kenilworth	U. S. Mail
94	1702	Melvin A. Robbins	Deweyville	Garland	U. S. Mail
95	1639	Adrian Janse	Ogden	Huntsville	U. S. Mail
96	1647	Lorenzo Belnap	Ogden	Hooper	U. S. Mail
97	1672	James W. Cox	Lehi	Topliff	U. S. Mail
98	1628	J. B. Haycock	Clear Creek	Scofield, Soldier Summit	U. S. Mail
99	1697	William Kirkham	Lehi	Pelican Point	U. S. Mail
100	1630	Joseph Floyd Wells	Bert	Promontory	U. S. Mail
101	1644	Parley M. Payne	Delta	Kanosh	U. S. Mail
102	1653	LaVern Clark	Upton	Coalville	U. S. Mail
103	1598	L. J. Howe	{Heber, Daniels Creek, {Centercreek	Provo	Dairy products
104	1596	Leo M. Banks	Palmyra, Lake Shore	Provo	Dairy products
108	1693	William Lund	Modena	Newcastle	U. S. Mail
109	1627	Glen P. Johnson	Hanksville	Torrey	U. S. Mail
111	1673	Parley B. Steele	Panguitch	Henrieville	U. S. Mail

GRADE CROSSING PERMITS ISSUED AND AUTHORITY GRANTED FOR GRADE CROSS-
INGS AND SEPARATIONS AND ABANDONMENTS
JULY 1, 1934 TO JUNE 30, 1935

Permit No.	Case No.	Applicant	Authority Granted	Location
171		Los Angeles & Salt Lake R. R. Co.	Construct, operate, and maintain a standard gauge R. R. track	Between New Castle and Cedar City
172		The Denver & Rio Grande Western R. R. Co.	Construct, operate, and maintain a standard gauge R. R. spur track	Salt Lake City
173		The Denver & Rio Grande Western R. R. Co.	Construct, operate, and maintain a standard gauge R. R. spur track	Murray
	1151	State Road Commission of Utah	Abandon a grade crossing over the main line of The D. & R. G. W. R. R. Co.	Near Nolan Station in Price Canyon
	1309	State Road Commission of Utah	Abandon two grade crossings of the main line track of The D. & R. G. W. R. R. Co.	Between Woodside and Mounds, Utah
	1737	State Road Commission of Utah	Abandon existing overhead crossing of State Highway No. 114.	North of Provo, Utah
	1739	State Road Commission of Utah	Replace the existing overhead structure over the Ogden Branch of The Denver & Rio Grande Western R. R. Co. and State Highway No. 108	Davis County, Utah

NUMBER OF ACCIDENTS OCCURRING ON COMMON CARRIERS BY RAIL OPERATING
IN UTAH, JULY 1, 1934 TO JUNE 30, 1935

Name of Carrier	Train Accidents	Train Service Accidents	Non-Train Accidents	Total Accidents
<i>Steam Railroads and Terminal Companies—</i>				
Bingham & Garfield Ry. Co.	2		3	5
Denver & Rio Grande Western R. R. Co., The	41	44	25	110
Los Angeles & Salt Lake R. R. Co.	7	9	2	18
Ogden Union Railway & Depot Co.	5	7		12
Oregon Short Line R. R. Co.	5	13	3	21
Southern Pacific Company	1	5	1	7
Union Pacific R. R. Co.	1	5	2	8
Utah Railway Co.	3	3	3	9
Western Pacific R. R. Co., The	2	4	2	8
Total	67	90	41	198
<i>Electric Interurban Railroads—</i>				
Bamberger Electric R. R. Co.		4	1	5
Salt Lake & Utah R. R. Co.		6	8	14
Utah Idaho Central R. R. Co., The		4	6	10
Total		14	15	29
Grand Total	67	104	56	227

FATALITIES AND INJURIES ON RAILROADS OPERATING IN UTAH

JULY 1, 1934 TO JUNE 30, 1935

Name of Carrier	Passengers		Pedestrians or Occupants of Motor Vehic.		Employees		Trespassers		Non-Tresp.		Grand Total	
	Killed	Injured	Killed	Injured	Killed	Injured	Killed	Injured	Killed	Injured	Killed	Injured
<i>Steam Railroads—</i>												
Bingham & Garfield Railway Co.	---	---	---	---	1	3	---	---	---	1	1	4
Denver & Rio Grande Western R. R. Co., The	---	4	6	24	3	47	4	1	---	2	13	78
Los Angeles & Salt Lake R. R. Co.	---	1	---	---	1	6	2	2	---	---	3	9
Ogden Union Railway & Depot Co.	---	1	---	---	1	6	---	1	---	---	1	8
Oregon Short Line R. R. Co.	---	1	4	1	---	10	1	1	---	1	5	14
Southern Pacific Co.	---	1	---	---	---	7	1	1	---	---	1	9
Union Pacific R. R. Co.	---	1	---	1	---	3	---	2	---	---	---	7
Utah Railway Company	---	---	---	1	---	5	---	---	---	---	---	6
Western Pacific R. R. Co., The	---	---	---	---	1	3	1	1	---	---	2	4
Total	---	9	10	27	7	90	9	9	---	4	26	139
<i>Electric Interurban Railroads—</i>												
Bamberger Electric R. R. Co.	---	---	2	1	---	3	---	---	---	---	2	4
Salt Lake & Utah Railroad Co.	---	---	---	12	---	10	---	1	---	---	---	23
Utah Idaho Central R. R. Co., The	---	---	1	1	---	8	---	---	---	---	1	9
Total	---	---	3	14	---	21	---	1	---	---	3	36
Grand Total	---	9	13	41	7	111	9	10	---	4	29	175

FATAL AND INJURIOUS ACCIDENTS OCCURRING ON MOTOR TRANSPORT LINES
OPERATING IN UTAH, JULY 1, 1934 TO JUNE 30, 1935

Name of Carrier	No. of Accidents	Passengers		Pedestrians or Occupants of Motor Vehicles		Employees		Grand Total	
		Killed	Injured	Killed	Injured	Killed	Injured	Killed	Injured
<i>Passenger Lines—</i>									
Interstate Transit Lines	2	1	6	1	1	---	---	2	7
Pacific Greyhound Lines, Inc.	1	---	2	---	---	---	---	---	2
Utah Central Truck Line	1	---	---	---	1	---	---	---	1
Utah Parks Company	1	---	15	---	---	---	---	---	15
Total	5	1	23	1	2	---	---	2	25
<i>Freight Lines—</i>									
Barton Truck Line, Inc., The	1	---	---	---	1	---	---	---	1
J. D. & Floyd Brinkerhoff	1	---	---	---	---	---	2	---	2
Motor Express Company of Wyoming	1	---	---	---	3	---	---	---	3
I. A. Petty	1	---	---	---	---	1	---	1	---
Salt Lake Transfer Company	1	---	---	---	---	1	---	1	---
H. E. Timpson	1	---	---	---	---	---	1	---	1
Total	6	---	---	---	4	2	3	2	7
Grand Total	11	1	23	1	6	2	3	4	32

RECAPITULATION OF PASSENGERS AND FREIGHT
TRANSPORTED BY AND ROAD TAXES ASSESSED
AGAINST AUTOMOBILE LINES OPERATING
IN THE STATE OF UTAH
JULY 1, 1934 TO JUNE 30, 1935

	Total Passengers Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Certificate Holders	805,268	\$106,933.77	\$1,223.55	\$108,157.32
Non-Certificate Holders	58,142	19,832.78	347.52	20,180.30
Total Passenger Lines	<u>863,410</u>	<u>\$126,766.55</u>	<u>\$1,571.07</u>	<u>\$128,337.62</u>

	Total Tons Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Certificate Holders	50,603	\$ 21,298.79	\$3,896.55	\$ 25,195.34
Non-Certificate Holders	251,398	89,379.86	3,629.27	93,009.13
Total Freight Lines	<u>302,001</u>	<u>\$110,678.65</u>	<u>\$7,525.82</u>	<u>\$118,204.47</u>

Total Taxes Assessed—

Passenger Lines	\$128,337.62
Freight Lines	\$118,204.47
Total Taxes Assessed	<u>\$246,542.09</u>

STATEMENT OF PASSENGERS CARRIED BY AND ROAD TAX ASSESSED AGAINST AUTOMOBILE PASSENGER LINES IN THE STATE OF UTAH

JULY 1, 1934 TO JUNE 30, 1935

Certificate Holders	Total Passengers Carried	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Arizona Utah Stages, Inc.	2,078	\$ 922.41	\$ 160.70	\$ 1,083.11
Arrow Auto Lines	681	15.89	10.62	26.51
Bamberger Transpor. Co.	10,542	596.75		596.75
Barton, A. R. (Barton & Lund)	60	1.68	4.62	6.30
Lund, Louis R. (Barton & Lund)	138	2.37	7.20	9.57
Bear Lake Stages	176	5.10	5.25	10.35
Bingham Stage Lines Co.	3,816	255.49	.52	256.01
Brighton Stage Lines	258	6.45	4.65	11.10
Comet Motor Express Co.	209	10.70	11.86	22.56
Denver, S. L., Pac. Stages	1,118	177.07	83.42	260.49
Duke, Elisha Jones	69	3.30		3.30
Forsey, Geo.	970	4.88	.98	5.86
Gourley, Geo. C.	13,600		110.40	110.40
Hout, Don R.	197	19.72		19.72
Hout, Howard	1,939	148.22	.41	148.63
Interstate Transit Lines, Inc.	178,129	77,314.84	343.26	77,658.10
Lewis Bros. Stages	2,926	619.85		619.85
Moab Garage Co.	500	19.66	34.60	54.26
Northwestern Stages	843	221.91		221.91
Petty & Lunt, Inc.	367	39.01	7.08	46.09
Rio Grande Motor Way, Inc.	7,819	1,355.64	4.29	1,359.93
Salt Lake & Eastern Utah Stages, Inc.	715	149.15	17.15	166.30
Salt Lake Transpor. Co.	69,012	3,573.86	59.04	3,632.90
Sargent, Moyle	137	3.31	4.11	7.42
Spencer, Howard J. (S. L.-Grantsville)	2,060	101.43	.32	101.75
(S. L.-Tooele)	3,573	217.92		217.92
Union Pacific Stages, Inc.	70,044	15,400.74		15,400.74
Utah Central Truck Line	1,020	42.59	8.66	51.25
Utah Idaho Cent. R.R. Co.	47,698	2,120.74	19.22	2,139.96
Utah Light & Traction Co.	371,649	2,765.65	3.47	2,769.12
Utah Parks Co.	8,714	410.02	300.53	710.55
Utah Transportation Co.	4,211	407.42	21.19	428.61
Total	805,268	\$106,933.77	\$1,223.55	\$108,157.32

STATEMENT OF TONS OF FREIGHT TRANSPORTED
BY, AND ROAD TAX ASSESSED AGAINST AUTO-
MOBILE FREIGHT LINES IN THE STATE OF UTAH
JULY 1, 1934 TO JUNE 30, 1935

Certificate Holders	Total Tons Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Allred, Horace	357	\$ 31.24	\$ 75.19	\$ 106.43
Arizona Utah Stages, Inc.	8	9.57	1.72	11.29
Arrow Auto Lines	717	38.59	26.54	65.13
Barton Truck Line	606	127.77	10.44	138.21
Barton & Lund				
Barton, A. R.	173	18.52	27.19	45.71
Lund, Louis R.	213	17.83	26.55	44.38
Bingham Stage Lines Co.	140	25.08		25.08
Black, Martin I.	104	17.64		17.64
Bringhamurst, Lyle Co.	322	69.53	36.15	105.68
Brighton Stage Lines	21	1.42	.96	2.38
Brinkerhoff, J. D. & Floyd	222	50.94	12.52	63.46
B. & O. Transportation Co.	352	22.51		22.51
Cameron, Philo	1,120	467.62	126.22	593.84
Chamberlain, John	251	67.45	30.23	97.68
Colby, F. L.	770	344.17	121.00	465.17
Comet Motor Express Co.	528	20.49	45.27	65.76
Duke, Elisha Jones	25	3.51		3.51
Eastern Utah Transport'n Co.	6,488	1,369.10	1,142.98	2,512.08
Forsey, Geo.	239	3.34	.61	3.95
Fuller & Toponce Truck Co.	5,440	2,402.00	.49	2,402.49
Grantsville S. L. Truck Line	79	21.52		21.52
Hout, Don R.	221	63.11		63.11
Hout, Howard	109	22.59		22.59
Hurricane Truck Line	354	117.01	3.75	120.76
Interstate Transit Lines	1,027	37.96	79.20	117.16
Jepson, Jesse N. &				
I. H. Bradshaw	58	54.63	.73	55.36
Lewis Bros. Stages	60	54.12		54.12
Lion Coal Corp.	12		.85	.85
Magna Garfield Truck Line	492	62.39		62.39
Milne, J. J. Truck Line, Inc.	1,338	1,850.42		1,850.42
Moab Garage Co.	2,548	1,078.20	532.83	1,611.03
McIntire, B. F.	183	6.26	5.68	11.94
Petty & Lunt, Inc.	1,055	299.82	23.83	323.65
Petty & Riddle, Inc.	865	326.54	18.40	344.94
Railway Express Agency, Inc.	76	6.51		6.51
Puffer, E. LeRoy	296	337.24		337.24
Rio Grande Motor Way, Inc.	6,276	5,747.31	96.92	5,844.23
Salt Lake Bingham Frt. Line	796	135.81		135.81
S. L. & East. Utah Stages, Inc.	81	24.13	10.04	34.17
S. L. & Ogden Transp'n Co.	4,671	1,110.53	.04	1,110.57
Sargent, Moyle	155	10.37	11.39	21.76
Sargent, Norm	64	8.50	4.25	12.75
Southern Utah Truck Co.	887	1,053.15		1,053.15
Spencer, Howard J.				
(S. L.-Grantsville)	95	21.32		21.32
(S. L.-Tooele)	216	44.87		44.87
Sterling Transportation Co.	5,304	2,403.52	1,245.88	3,649.40
Uintah Basin Stages	1,456	232.45	109.66	342.11
Ungricht, W. F.	799	245.07	27.06	272.13
Union Pacific Stages, Inc.	4	2.14		2.14
Utah Central Truck Line	2,409	516.37	32.96	549.33
Utah Parks Co.	158	9.33	9.01	18.34
Utah Transportation Co.	49	11.03	.01	11.04
Warner, Newell	314	276.25		276.25

STATEMENT OF PASSENGERS CARRIED BY, AND
ROAD TAX ASSESSED AGAINST AUTOMOBILE
PASSENGER LINES IN THE STATE OF UTAH
JULY 1, 1934 TO JUNE 30, 1935

Non-Certificate Holders	Total Passengers Carried	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Bartholomew, Jesse	28	\$ 7.84	\$.78	\$ 8.62
Beebe, Carl G.	35	15.01	1.92	16.93
Bingham, Arthur S.	188	17.39		17.39
Board of Ed'n (Cache Co.)	312	6.11	4.55	10.66
Burbidge, R. O. (University of Tours)	500	228.75		228.75
Burlington Transporta'n Co.	3,274	2,146.55	9.08	2,155.63
Burnside, Mason	46	20.12	1.10	21.22
Child, J. O.	34	2.21	.34	2.55
Clark, Lucius	64	16.64		16.64
Colorado Utah Stages, Inc.	241	42.27	37.93	80.20
Columbia Pac. Nitecoach L.	3,867	3,869.96	14.43	3,884.39
Farr, Dewey	3	2.55	.06	2.61
Fielding, Elijah	51	4.85		4.85
Harris, Mrs. R. C.	34		.85	.85
Harwood, Homer	2,880	514.36	8.44	522.80
Illini Coach Co. (Parkhill Tours)	65	28.28	9.10	37.38
Inland Pacific Stages	2,945	613.25	140.36	753.61
Intermountain Transp. Co.	20	15.25	1.12	16.37
Johnson Transf. & Taxi Co.	6	.07	.04	.11
Jones, Francis W.	12		.90	.90
Juggler, Frank (Lucian E. Crandall)	2,206	16.54	13.24	29.78
Killpack, Will	92	32.73	2.28	35.01
Larsen Bros. Transport Co.	2,179	33.07	.27	33.34
Mecham, Iral	54	13.64		13.64
Midland Stages (E.H. Curry)	217	68.89	.07	68.96
Motor Express Co. of Wyo.	15	3.60	.14	3.74
Nebo School District (H. A. Greenhalgh)	90	26.78	.72	27.50
Nielson, Edgar	9		.25	.25
Omnibus College (Wm. Goldsmith)	210	96.08		96.08
Pacific Greyhound Lines, Inc.	37,972	11,883.65	83.10	11,966.75
Pennsylvania Greyhound Lines of Indiana	54	23.22	7.56	30.78
Price Taxi	24	.84		.84
Rich, R. C.	80	11.90		11.90
Ricker, J. H.	40	12.20		12.20
Snow, Clyde	37		.37	.37
Southam, Clair	60	10.50	6.54	17.04
Steele, Parley B.	8	.14	.20	.34
Tauck Tours (Charles Ricker, Jr.)	21	8.02	1.47	9.49
Tooele Valley Railway Co.	127	.06	.23	.29
Western Educa'l Tours, Inc.	37	39.41		39.41
Woodruff, George T.	5	.05	.08	.13
Total	58,142	\$19,832.78	\$347.52	\$20,180.30

STATEMENT OF TONS OF FREIGHT TRANSPORTED
BY, AND ROAD TAX ASSESSED AGAINST AUTO-
MOBILE FREIGHT LINES IN THE STATE OF UTAH

JULY 1, 1934 TO JUNE 30, 1935

Non-Certificate Holders	Total Tons Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
A. & A. Moving	60	\$ 107.74	\$.93	\$ 108.67
Abrams, George	6	3.04		3.04
Acme Transfer & Piano Moving Co.	5	1.70	.65	2.35
Adair, Bert R.	5	.06	.41	.47
Adair, George R.	107	137.01	22.70	159.71
Adams, George A.	76	28.32	36.03	64.35
Adams, W. W. ....			.02	.02
Aero Mayflower Transit	4	4.81		4.81
Affleck, Jack	159	49.50	.69	50.19
Ahlstrom, W. J.	3		.03	.03
Aldous, Horace	1,078	86.11		86.11
Alexander, E. T.	9	3.70	2.93	6.63
Alexander, M. E.	2	1.18	.51	1.69
Allen, Archie	2	.91	.54	1.45
Allen, Floyd	4	1.92	1.12	3.04
Allen, Frank	5	.01	.08	.09
Allmark, G. A.	5	1.49		1.49
Allred, H. L.	2	.87	.38	1.25
Allred, Zenith	5	2.62		2.62
Ames, Oliver	1	.27		.27
Anderson, Ivan	1,145	24.91	24.58	49.49
Anderson, W. C.	448	26.02		26.02
Andrews, R. M.	6	2.96	.67	3.63
Arrowhead Freight Lines, Ltd.	6,850	14,110.82	36.03	14,146.85
Arrowsmith, H. J.	3	1.07	.29	1.36
Ashby, B. E.	3	.95	.10	1.05
Ashbey, LeRoy T.	11	4.94		4.94
Ashton, Leslie & Sons	921	116.22	131.46	247.68
Ashworth Transfer Co.	3,807	713.24	50.14	763.38
Atkinson, V. D.	1,452	347.82	40.62	388.44
Ault, J. W. Transfer Co.	51	24.00	.81	24.81
B. & H. Truck Line	60	31.29		31.29
Baker, Amasa	2	.41		.41
Baker, Ezra B.	3	3.74	.03	3.77
Baker, W. L.	5	3.20	.11	3.31
Baldwin, B. F.	19	12.58		12.58
Ballard, Maurgerite B.	1,290	363.63	12.39	376.02
Ballard, Tom H.	37	7.81		7.81
Ballingham, George E.	33		2.45	2.45
Bangerter, Homer	12	6.06		6.06
Barnes, Albert	60	7.95	1.44	9.39
Barnes, Ernest	8	3.85		3.85
Barnes Truck Co.	11	5.06		5.06
Bartlett, Ross	9	6.31		6.31
Barton, A. G.	1	.38	.21	.59
Barton, Benjamin	94	21.84		21.84
Batty, James D.	1		.03	.03
Beal, Henry	9	5.50	1.28	6.78

STATEMENT OF TONS OF FREIGHT TRANSPORTED
BY, AND ROAD TAX ASSESSED AGAINST AUTO-
MOBILE FREIGHT LINES IN THE STATE OF UTAH
JULY 1, 1934 TO JUNE 30, 1935

Non-Certificate Holders	Total Tons Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Beckstead, B. H.	452	39.09		39.09
Bell, Clarence, % J. W. Jensen	27	8.88		8.88
Belnap, Lorenzo	12	1.03		1.03
Belvedere Dairy	604	8.06	4.52	12.58
Benson, Alma N.	13	5.32	1.38	6.70
Benson, Randolph A.	2	.09	.03	.12
Blair, J. C.	417	11.09		11.09
Blonquist, Chester	35	3.69		3.69
Bodily, Vernon	4	1.20	.05	1.25
Bollschweiler, Mrs. E. F.	64	11.69		11.69
Boothe, Louis	1,736	346.92	8.69	355.61
Bott, Lamar	58	27.79		27.79
Boyer, John S.	177	59.00		59.00
Boyd, J. D.	5	2.01	.05	2.06
Bracken, Vivian	4		.07	.07
Bradley, Isaac	414	130.01	.27	130.28
Bratt, J. R.	30	71.59	1.67	73.26
Bresock, J. W.	33	9.91		9.91
Brinkerhoff, Dennis J.	11	21.43	.61	22.04
Brinkerhoff, Geo. C.	1	1.13	.29	1.42
Brooks Truck	3	.63		.63
Brough, B. C.	1,587	359.64		359.64
Brown & Lund	6	.68		.68
Brownfield, E. B. Truck. Co.	2	1.75		1.75
Brunson, W. T.	31	28.57	.48	29.05
Buckingham Transport'n Co.	2,959	1,741.99	18.92	1,760.91
Bullock, L. E.	148	2.40	3.87	6.27
Burmingham, Frank	92	24.53		24.53
Burrows, Lem	6	4.06	.23	4.29
Burt, Charles	12	19.60	3.93	23.53
Burton, Joe	190	348.06	15.02	363.08
Buxton, Clyde	28	9.43	1.18	10.61
Bybee, Orville	365	38.22		38.22
Cache Valley Supply Co.	4	2.07		2.07
Calder, Edgar	6	1.70	1.60	3.30
Caldwell, Ernest .....		.21	.21	.42
Camblin, G. M.	11	4.68		4.68
Campbell, Larvin	2	1.93	.17	2.10
Campbell, Martin	9	2.85	2.29	5.14
Campbell, M.	79		1.21	1.21
Campbell Transfer Co.	313	204.91	8.97	213.88
Capson, Carl	2	.34	.06	.40
Carter Dray & Transfer	382	19.50	2.22	21.72
Catmull, Thomas	299	35.79	38.73	74.52
Charlton, A. E.	457	24.30		24.30
Chase, W. B.	16	6.07	5.51	11.58
Childs, J. E.	175	4.63		4.63
Childs, J. O.	13	1.76	.18	1.94
Childs, W. E.	1	.24	.03	.27

STATEMENT OF TONS OF FREIGHT TRANSPORTED
BY, AND ROAD TAX ASSESSED AGAINST AUTO-
MOBILE FREIGHT LINES IN THE STATE OF UTAH
JULY 1, 1934 TO JUNE 30, 1935

Non-Certificate Holders	Total Tons Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Christensen, Gardner, Inc.	66,637	657.64	510.32	1,167.96
Christensen, Lorin	176	106.42	.01	106.43
Christensen, Newell	2	1.09	.25	1.34
Circle M. Truck Line (C. W. Mercill)	399	210.41		210.41
Clark, Jas. H.	16	19.26	.15	19.41
Clark, LaVern	7		.32	.32
Clark, Martin	9	4.35		4.35
Clark Truck Line	91	38.95		38.95
Cole, C. R. Transfer Co.	69	31.83	.67	32.50
Collier, W.	1	.38	.36	.74
Compton Trans. & Stor. Co.	10	9.40		9.40
Cook, D. W.	2	.65		.65
Cook, F. J.	20	2.13		2.13
Cooley, Joseph	198	10.57		10.57
Coons Truck Line	30	22.31	.86	23.17
Covert, Elgant	100	.06	1.43	1.49
Cowles & Sons	62	47.00	12.39	59.39
Cox, Emerald T.	77	27.36		27.36
Cox, James W.	9	.11	.62	.73
Cox, Lewis H.	103	30.09	1.54	31.63
Cox, Lynn	91		4.09	4.09
Cox, William	163		4.11	4.11
Cragun, E. M.	23	14.19	.12	14.31
Cragun, Oscar	210	493.03	.08	493.11
Cramer, H. O.	8	6.61	.08	6.69
Crandall Trucking Co.	144	8.79	19.29	28.08
Crosby, E. W.	12	3.81	2.74	6.55
Creager, James	11	3.49		3.49
Cutler, Bealey S.	24	4.93	.19	5.12
Dalton, Elmer	1	.71	.20	.91
Dalton, L.	4	1.64		1.64
Damron, George A.	48	.05	.24	.29
Daniels, Bus	83	21.27	11.45	32.72
Davis, Amos	3		.06	.06
Davis, Lorenzo R.	21	1.07	.59	1.66
Davison Trans. & Stor. Co.	9	2.12		2.12
Day, W. A.	245	82.10	66.72	148.82
Defa, Joe	1	.31	.27	.58
Degiorgio, Mario	77	16.46		16.46
Despain, Elbert G.	1,435	75.59	31.65	107.24
Dickemore, Adam	718	14.35	5.40	19.75
Don & Doug Drayage & Exp.	471	10.70	.03	10.73
Dornan, J. P., Jr.	36	17.65		17.65
Draney, D. H.	1	.30		.30
Draper, Golden T.	3	1.09		1.09
Droubay, D. P.	369	63.43	.11	63.54
Durfey, Frank	3	1.64		1.64

STATEMENT OF TONS OF FREIGHT TRANSPORTED
BY, AND ROAD TAX ASSESSED AGAINST AUTO-
MOBILE FREIGHT LINES IN THE STATE OF UTAH
JULY 1, 1934 TO JUNE 30, 1935

Non-Certificate Holders	Total Tons Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Dutson, L. W.	1,156		34.99	34.99
Dye, A. E.	24	22.14		22.14
Eachus, V. D.	137	14.00	5.50	19.50
Eastman, R.	2		.04	.04
Eaton, Claude H.	1	.42	.34	.76
Edlund, Oscar	8	2.67		2.67
Edwards, Oliver	191	16.60	3.97	20.57
Eldredge, Earl	1	.47	.36	.83
Ellison, Stanley C.	12	3.72		3.72
Elsmore, D. G.	308	79.46	.11	79.57
Ence, Milo	1		.02	.02
England, Elmo	67	41.98		41.98
Fackrell, D. H.	182		1.82	1.82
Farnsworth, W. B.	4	2.97	.26	3.23
Feltch, Fred	258	105.91	77.27	183.18
Fife, Ted	147	6.80		6.80
Findley, Sandell	8	4.51		4.51
Flagg, Kendrick (J. M. Hall, Driver)	1	.81	.50	1.31
Florence, H. S.	152	86.76	8.66	95.42
Fluckiger, Wilford	9	2.48		2.48
Ford, L. W.	272	374.81	11.17	385.98
Fortner, V. B.	7	6.40	1.31	7.71
Frome, J. W.	5	1.36		1.36
Frome, Lionel	4	2.80		2.80
Fuoco, Sam	11	2.37		2.37
Gaisford, D. D.	338	33.70		33.70
Gamble, James	4	1.04	.04	1.08
Garland Tremonton Mill. Co.	100	52.05		52.05
Garrett Trans. & Storage Co.	15,532	13,516.22	.01	13,516.23
Georgetsis, Mike	578	3.85	.88	4.73
Gingell, Jack	11	3.47	2.45	5.92
Glenn, Lawrence	12	9.42		9.42
Glines, J. Harvey	9		.31	.31
Goodrich, Merrill	8	2.67	2.55	5.22
Graff, Clyde	139	256.66	7.53	264.19
Graham Bros. Truck	8	2.05	3.21	5.26
Grass, E. T.	400	117.57	1.21	118.78
Grayson Garage	152	20.89	53.41	74.30
Green, Arthur	310	65.07	.31	65.38
Gross, F. L.	57	1.73	.21	1.94
Grove, Dewey	13	4.25	3.22	7.47
Guss, Samuel	38	2.37		2.37
Hadden, Dean	3	1.09	.64	1.73
Haderlie, Charles	4	1.96		1.96
Hadfield, Jack	149	33.82		33.82
Hadley Trans. & Storage Co.	1,867	578.83	60.83	639.66
Hafen, Joseph	114	15.26	16.34	31.60
Hahn, Alfred L.	107	56.97		56.97

STATEMENT OF TONS OF FREIGHT TRANSPORTED.
BY, AND ROAD TAX ASSESSED AGAINST AUTO-
MOBILE FREIGHT LINES IN THE STATE OF UTAH

JULY 1, 1934 TO JUNE 30, 1935

Non-Certificate Holders	Total Tons Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Hair, L.	1	.11	.07	.18
Hales Truck Line	691	620.19	22.14	642.33
Hamblin, Ray	721	24.05		24.05
Hancock, Leslie E.	94	187.95		187.95
Hannifans Transfer & Storage	1	.53		.53
Hansen, Clyde	1,403	93.82	21.10	114.92
Hanson, Harold	159	14.12	3.57	17.69
Hardy Transfer Co.	7	2.22	.08	2.30
Hardman, M. E.	2	2.16	.02	2.18
Harmon, Earl	110	53.68	.37	54.05
Harmon, Lawrence C.	161	85.25		85.25
Harper, P. W.	6	3.08	1.81	4.89
Harris, Jesse	18	5.68		5.68
Hart, H. W.	180	121.55		121.55
Harwood, Homer W.	575	64.48	.75	65.23
Haslam, J. ....		.08	.06	.14
Hatch, Leston L.	1		.02	.02
Hawkes, Lee M.	343	199.69		199.69
Haycock, J. B.	47	.60	2.72	3.32
Haynes, Homer	1	.18	.14	.32
Heaton, Glen	2	.55		.55
Heiner, Melvin H.	19	1.17		1.17
Heiner, T. M.	1	.50		.50
Hemmingsen, A. P.	21		.22	.22
Henley, John	8	3.55		3.55
Henrie, Barton	32	9.38		9.38
Hess, E. H.	378	114.14	2.84	116.98
Hess, Kenneth L.	1,067	261.57		261.57
Hess, Max Holt	43	10.86		10.86
Hicken, J. Claud & Sons	479	65.88	6.95	72.83
Higley, Paul	1,362	29.70	28.88	58.58
Hill, David F.	2	.73		.73
Hirschi, Albert D.	10		.24	.24
Hodges, A. N.	29	16.72	.10	16.82
Hodges, N. M.	100	54.35	.51	54.86
Hodson, William	2,093	195.77		195.77
Hoffman Truck	45	24.01		24.01
Hogan, Walter F. (Smith Brokerage Co.)	11	4.56		4.56
Holbrook, Myron	26	10.64		10.64
Holley Dairy	155	3.09		3.09
Holt, J. W.	7	13.19	1.34	14.53
Holt, S. J.	31	70.84		70.84
Holtman, A. J.	8	1.55		1.55
Houston, Sam	15	8.60	1.12	9.72
Howard, D. E.	15	1.16		1.16
Hubbard, C. L.	22	13.99		13.99
Hunsaker, J. A.	4	1.87		1.87

STATEMENT OF TONS OF FREIGHT TRANSPORTED BY, AND ROAD TAX ASSESSED AGAINST AUTO- MOBILE FREIGHT LINES IN THE STATE OF UTAH

JULY 1, 1934 TO JUNE 30, 1935

Non-Certificate Holders	Total Tons Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Hunt, Joseph C.	89	60.08	34.66	94.74
Idaho Oregon Truck Line	39	16.47		16.47
Inland Pacific Stages	25	19.36	.40	19.76
Intermountain Motor Freight	29	16.99	3.08	20.07
Intermountain Transfer Co.	300	115.50		115.50
Interstate Motor Lines	3,041	2,044.61	32.09	2,076.70
Jackson, J. W.	14	6.08	.14	6.22
Jackson, S.	33	.89		.89
James, R. S.	288	28.72	.07	28.79
Janse, Adrian	38	2.61		2.61
Jardine, John S.	17		.34	.34
Jeffery Bros.	358	127.35	39.50	166.85
Jensen, Alfred	19	19.45	1.77	21.22
Jensen, Arlo	11	3.90	1.02	4.92
Jensen, C. Truck Line	8	14.27	.35	14.62
Jensen, E. S.	3	1.69	.50	2.19
Jensen, John H.	104		5.10	5.10
Jensen, Loral	2	3.00	.18	3.18
Jensen, Niels	54	37.17		37.17
Johnson Transfer & Taxi Co.	147	34.89	.18	35.07
Johnson Transfer Co.	175	11.91	4.71	16.62
Johnson, George E.	2		.03	.03
Johnson, Glen	32		4.94	4.94
Johnson, J. S.	2	.73		.73
Johnson, Legrande	493	260.46		260.46
Johnson, Parnell	1	.25	.08	.33
Johnson, R. C.	1,329	203.83		203.83
Jolley, Henry R.	2		.08	.08
Jones Company, The	10	4.00		4.00
Jones, Frank	1	.24		.24
Judd, Ray	47	17.18		17.18
Kenwood Transfer	8	4.07	.03	4.10
Kirkham, William	1		.04	.04
Klein, John	4	1.12	.58	1.70
Knight, Leo J.	155	47.38	.15	47.53
Knudson, J. F.	12	19.60	3.93	23.53
Knudsen, Virgil G.	59	25.56		25.56
Kohler, Albert	869	270.23	10.83	281.06
Labrum, George F.	34	2.65		2.65
Lamborn, John N.	19	9.76		9.76
Laris, L.	3	1.09	.72	1.81
Larsen, Clay	222	124.68	12.48	137.16
Larsen, Fred	55	1.10		1.10
Lassen, Niels	5	6.93	1.12	8.05
Laub, W. R.	814	209.05	7.32	216.37
Layton, Thomas G.	19	44.99	1.05	46.04
Leatham, Charles B.	55	25.64	.14	25.78
Ledingham, Glen W.	166	20.24		20.24

STATEMENT OF TONS OF FREIGHT TRANSPORTED
BY, AND ROAD TAX ASSESSED AGAINST AUTO-
MOBILE FREIGHT LINES IN THE STATE OF UTAH
JULY 1, 1934 TO JUNE 30, 1935

Non-Certificate Holders	Total Tons Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Lee, Carter E.	3	2.56		2.56
Leonard, Ray	4	1.43		1.43
Levie, Harvey	3	1.65	.15	1.80
Lewis, E. D.	7	4.37	1.46	5.83
Lewis, Ray	167	145.21		145.21
Linck, William Harold	58	124.79	3.17	127.96
Lind, Vance O.	4		.16	.16
Little, L. J.	6	2.46	1.18	3.64
Lublin, Alfred	17	5.19	4.21	9.40
Lund, William	36		2.79	2.79
Lunt, C. Roger	6	4.07		4.07
Mackelprang, Willard	8	.28		.28
Maddocks, E.	151	5.00		5.00
Madsen, Clarence T.	218	88.98	7.70	96.68
Malouf, George	3	1.82	.16	1.98
Marchant, A. M.	368	11.73	5.75	17.48
Marsden, R. J.	271	118.40		118.40
Mason, W. B.	4	2.00		2.00
Mastores, Patro	1	.45		.45
Mattson, Stanley	1	.25	.08	.33
Maughan, James E.	59	22.77		22.77
Maw, John & Sons	1	.30		.30
Maxfield Feed, Coal & Flour	36	18.30	4.36	22.66
Maxfield, J. F.	242	104.41	.69	105.10
Mecham, Cecil	10	3.09	2.35	5.44
Meli, Joseph	38	8.92	2.21	11.13
Merchants Del. & Trans. Co.	20	8.35	.08	8.43
Merchants Trans. & Stor. Co.	7	4.01		4.01
Messinger, Blake	2,599	968.07		968.07
Michaelis, O. H.	4	2.35	.09	2.44
Miles, I. A.	631	150.38	23.65	174.03
Millard, Ed.	52	13.00		13.00
Miller, Legrande	244	122.26	1.66	123.92
Milner, A. F.	1,602	210.80	9.55	220.35
Mitchell, George A.	17	26.82		26.82
Model Dairy	3,329	85.71		85.71
Mollerup, J. A. Moving Co....	566	684.41	2.68	687.09
Monson, E. J.	53	13.71	7.38	21.09
Monson, O. E.	2	.85	.02	.87
Montana Pacific Trans., Inc.	302	283.01		283.01
Morgan, J. F.	2	.27		.27
Mortenson, Elwood	17	25.89	.93	26.82
Moss, Mrs. Freida P.	424	33.93		33.93
Motor Express Co. of, Wyo....	1,267	661.35	.02	661.37
Munk, William	1	1.09		1.09
Munson, Leo	8	7.77	1.43	9.20
Munson, T. J.	4	3.49	.99	4.48
Murdock, Carlos	2		.31	.31

STATEMENT OF TONS OF FREIGHT TRANSPORTED
BY, AND ROAD TAX ASSESSED AGAINST AUTO-
MOBILE FREIGHT LINES IN THE STATE OF UTAH

JULY 1, 1934 TO JUNE 30, 1935

Non-Certificate Holders	Total Tons Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Murdock, R. C.	192	105.04	6.02	111.06
Murie, Bernard	243	11.37		11.37
Murray, Kenneth B.	58	27.89	.07	27.96
Myrick, Ken	19	1.12		1.12
McColloch, Everett	11	3.13		3.13
McFadden, G. M.	7	3.69		3.69
McFarland, Archie & Son ..	1,266	92.46		92.46
McHale, J. A.	969	170.57	1.04	171.61
McIntosh, Wm. H.	68	.39	8.49	8.88
Naylor, J. R.	9	3.19	.83	4.02
Nebeker, Stanley	14		.54	.54
Nielson, H. B.	18	9.02		9.02
Nielson, J. C.	29	2.53		2.53
Newey, J. A.	300	23.97		23.97
Nielson, G. J.	49	8.38	9.84	18.22
Nielson, Sidney L.	9		.10	.10
Nielson, Theris	5		.07	.07
Nielson, Wm. Ray	3	.11	.01	.12
Nish, R. H.	10	5.69		5.69
Noble, Milton	8	2.23		2.23
Norton, M.	5	10.88		10.88
O'Berto, Joe	43	1.09	.33	1.42
Ogden Transfer & Storage ..	464	209.98	14.52	224.50
Olsen & Harwood	551	3.53	3.49	7.02
Olsen, James C.	1	.20		.20
Olsen, Paul	4	1.91	.05	1.96
Oman, Harold G.	3		.04	.04
Orange Transportation Co.	6,837	5,305.70		5,305.70
Owen Transportation Co.	3,920	1,425.88	447.90	1,873.78
Oyley, Merrill	6	2.94		2.94
Pace, Archie	15	3.95	.52	4.47
Pacific Greyhound Lines, Inc.	3	4.33	.02	4.35
Pack, Robt.	720	24.14	11.84	35.98
Palmer, M. L.	14	7.72	.16	7.88
Paramount Ice Cream Co.	1,439	63.75		63.75
Parker, Larry	10	5.07		5.07
Paxton, W. B. ....		.68	.02	.70
Payne, Parley M.	22	2.08		2.08
Peart, Farrell	4	1.05	.57	1.62
Peasley Trans. & Storage Co.	72	58.75		58.75
Perkins, Elige	4	1.77		1.77
Perry, T. W.	385	109.44	.08	109.52
Peterson, Ben	18	.13	.06	.19
Peterson, Don	3	.80		.80
Peterson, Lee	10	.96		.96
Petty, I. A.	27	17.14	3.41	20.55
Phillips, A. L.	60	4.49		4.49
Phillips, B. E.	177	90.48		90.48

STATEMENT OF TONS OF FREIGHT TRANSPORTED BY, AND ROAD TAX ASSESSED AGAINST AUTO- MOBILE FREIGHT LINES IN THE STATE OF UTAH

JULY 1, 1934 TO JUNE 30, 1935

Non-Certificate Holders	Total Tons Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Pickering, Alex Transfer Co.	39	9.94	.41	10.35
Pierce, Lee	176	5.72	22.32	28.04
Pierce, H. A.	7	3.30	1.30	4.60
Pierson, Francis	2	1.07		1.07
Pingell, W. H.	25	5.63		5.63
Pratt, W. F.	532	111.47		111.47
Pope, Paul C.	4	2.24	.08	2.32
Preece, O. J.	319	31.90	42.81	74.71
Prothero, Dean J.	89	25.82		25.82
Purdie, Robert	3	1.65	.85	2.50
Randall, Alfred	564	41.69		41.69
Rapid Express Inc.	41	37.79		37.79
Rasmussen, John	607	525.77	3.66	529.43
Rasmussen, Jorgen	715	19.14	1.81	20.95
Reber, R. M.	21	3.93		3.93
Redline Motor Transport	1,706	800.63	31.16	831.79
Redman Van & Storage	283	240.37	.37	240.74
Reed, D. A.	10	5.80	.10	5.90
Reed, Levi R.	685	56.52	8.21	64.73
Reid & Hunsaker	180	82.15	32.22	114.37
Richards, Ezra C.	1,071	221.00	7.98	228.98
Richards, Murray	894	280.72	9.96	290.68
Richardson, O. C.	187	52.30		52.30
Richardson, Roy	512	27.33		27.33
Riddle, I. E.	3	5.87	.20	6.07
Robbins, Melvin A.	3	.04	.01	.05
Roberts, Henry L.	8	2.33		2.33
Roberts, W. R.	6	3.04		3.04
Rockwood, W. E.	4	1.45		1.45
Rosenland, Don	8	1.68	.38	2.06
Roundy, George E.	2	1.90	.31	2.21
Rowley, Mrs. Daisy	48		9.20	9.20
Roylance, Heber	934	30.96		30.96
Russell, W.	2	.51		.51
Ryberg Brothers	18,989	380.40	6.87	387.27
Sabin, Ernest N.	5	.11		.11
S. L. & Lander Truck Line	9	4.82		4.82
Salt Lake Transfer Co.	6,751	2,375.24	177.76	2,553.00
Sarnes, C. S.	44	23.05		23.05
Sarnes, J. E.	282	161.48	2.30	163.78
Saunders, R. L.	1,346	55.74	3.98	59.72
Schiele, F. A.	972	521.78	.31	522.09
Scholzen Produce Co.	49	21.01	.95	21.96
Scott, D. G.	33	9.46		9.46
Seamons, Ray	79	35.08		35.08
Sessions, Milt	4	.42		.42
Shambow, L. C.	8	1.35	.37	1.72
Shankin, C. W.	4	1.59		1.59

STATEMENT OF TONS OF FREIGHT TRANSPORTED
BY, AND ROAD TAX ASSESSED AGAINST AUTO-
MOBILE FREIGHT LINES IN THE STATE OF UTAH

JULY 1, 1934 TO JUNE 30, 1935

Non-Certificate Holders	Total Tons Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Sherwood, Archie	51	12.82		12.82
Sholl, Wallace	8	3.91		3.91
Sim, L. S.	2,939	1,429.99	23.23	1,453.22
Simpson, J. C.	198	96.34	.24	96.58
Singleton, William	46	1.05	1.22	2.27
Skillhorn, S. G.	5	.62	.12	.74
Slade Transfer Co.	41	13.76	.16	13.92
Slagowski, J.	215	68.22		68.22
Smith, Charles	140	111.51		111.51
Smith, I. T.	58	63.22	1.06	64.28
Smith, Leo. G.	196	33.11		33.11
Smith, Levoy	1	.10		.10
Smith, Roland B. Brokerage..	968	389.39	.11	389.50
Smith, R. H.	81	43.91	.06	43.97
Smith, Wm. R. Brokerage Co.	113	237.51	5.26	242.77
Smith, William W.	4	1.28		1.28
Smith, Wilson	1,300		1.64	1.64
Smoot, A. O.	1	4.58		4.58
Smuin, Hy	6	1.97	1.87	3.84
Snow, Orin	26	12.43	2.86	15.29
Snow, Clyde	6		.13	.13
Snow & Nelson Lbr. Co.	104	41.18	.06	41.24
Sorenson, DeLoyd	178	1.71	16.78	18.49
Sorenson, Elmo	10	6.17	.72	6.89
Sotor, Nick	1	.05		.05
Southwick, Fred	22	3.73		3.73
Spackman, Thomas	1,049	1.12	38.77	39.89
Spafford, W. N.	10	12.06	.72	12.78
Spencer, James	24	11.26		11.26
Spencer, Melvin	12	6.17		6.17
Spiers, Jack	234	60.46	1.63	62.09
Spiking, William .....		.36	.09	.45
Stabeli, Woodrow	10	3.55		3.55
Stanton, J. J.	2,431	439.56	541.27	980.83
Staples, Lewellyn	3		.05	.05
Steele, Parley B.	19	.07	1.23	1.30
Stephenson, Riley	8	1.32	1.02	2.34
Stewart, J. F.	10	3.90	1.02	4.92
Stohl, Heber N.	39	16.64		16.64
Stohl, Erwin	132	64.84		64.84
Storey, R. F.	503	40.26		40.26
Stringham, Bryant S.	11	.73		.73
Summerhays, J. W. & Sons..	21	12.40		12.40
Syrett, T. C.	31	48.11	.58	48.69
Talbot, James O.	93	12.40		12.40
Tatton, Fred W.	25	7.97	2.30	10.27
Taylor, A. C.	127	271.94	6.91	278.85
Taylor, H. A.	4	2.24	.08	2.32

STATEMENT OF TONS OF FREIGHT TRANSPORTED
BY, AND ROAD TAX ASSESSED AGAINST AUTO-
MOBILE FREIGHT LINES IN THE STATE OF UTAH

JULY 1, 1934 TO JUNE 30, 1935

Non-Certificate Holders	Total Tons Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Taylor, J. O.	432	290.57	8.63	299.20
Taylor, Rulon	10	.31	.10	.41
Telford, Bryant	52	32.30		32.30
Thompson, F. J.	16	6.46		6.46
Thornak, A. W.	15	4.80	1.89	6.69
Thorpe, H. G.	45	7.15	1.23	8.38
Tietjen, J. E.	192	61.20		61.20
Timms, W. R.	37	13.95	7.86	21.81
Timothy, Presley	113	52.81	22.98	75.79
Timpson, H. E.	244	12.99	10.64	23.63
Tingey, Francis	9	.24		.24
Tooele Valley Railway Co. ..	49	.04	.29	.33
Toolson, Kermit	342	201.43	.06	201.49
Toombs, C. E.	193	3.85	14.45	18.30
Torp, Norman	3	1.88		1.88
Torgersen, Eric	29		3.44	3.44
Torre, Louis	317	289.10		289.10
Tri-State Motor Ways	1,202	731.23	.01	731.24
Truitt, J. M.	33	9.85	.21	10.06
Tuckett, J. A.	102	19.86	3.83	23.69
Turner, Sam	3	.19		.19
Turner, William	8	3.75		3.75
Tutt, E. J.	1	.35	.36	.71
Twitchell, Loren E.	50	7.30	7.98	15.28
United Transportation Co. ..	7	6.35		6.35
Urry, Arthur	6	4.94	.35	5.29
Urray, Lambert	32	25.25	.24	25.49
Utah California Motor Lines	8,375	6,822.04	37.63	6,859.67
Utah Calif. Motor Lines, Inc.	9,378	12,593.48	27.21	12,620.69
of Colo., Inc.	2,183	1,265.98	16.38	1,282.36
Utah Tank Lines	911	381.49	75.67	457.16
Vernon, Ray	4	.41		.41
Voellger, H. H.	10	6.73		6.73
Wade, Earl C.	9	1.93		1.93
Waldron, Grant	60	14.18	.45	14.63
Ware, Guy	23	6.97	2.04	9.01
Wayts Trans. & Storage Co. ..	26	10.54		10.54
Weber Central Dairy Ass'n. ..	147	40.37		40.37
Weber Transportation Co. ..	2	.71	.02	.73
Weiser Transfer	7	2.97		2.97
Wells, Joseph F.	10		.49	.49
Wheeler, W. E. and/or				
Western Motor Frt.	88	65.10	6.89	71.99
White, C. J.	10	.69		.69
Whitesides, Frank L.	6	1.82		1.82
Whiting Bros.	5	6.63	1.35	7.98
Wight, Reed J.	171	80.12		80.12

STATEMENT OF TONS OF FREIGHT TRANSPORTED
BY, AND ROAD TAX ASSESSED AGAINST AUTO-
MOBILE FREIGHT LINES IN THE STATE OF UTAH

JULY 1, 1934 TO JUNE 30, 1935

Non-Certificate Holders	Total Tons Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Wilberg, Cyrus	2	.74	.17	.91
Williams, B. G.	12	3.33		3.33
Williams, David J.	1,027	554.50		554.50
Williams Truck Line (L. Glenn Williams)	3	5.64	.18	5.82
Wilson, Paul	1	.23	.20	.43
Wilson & Truax	46	49.85	20.25	70.10
Wilson, William	7	3.31		3.31
Wimber Truck Line	3	1.86	.40	2.26
Wise, W. E.	20	10.82		10.82
Weiser, Wayne T.	4	2.38		2.38
Wood, Ether	229	68.95	3.40	72.35
Woodbury, Grant	15	21.48	3.31	24.79
Woodruff, George T.	1	.03	.03	.06
Yellow Cab Co.	91	13.38	.49	13.87
Young, Ivan	112	67.22	5.29	72.51
Youngberg, Carl G.	38	15.52		15.52
Zolle, William	4	2.11		2.11
<hr/>				
	251,398	\$89,379.86	\$ 3,629.27	\$93,009.13

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In the Index, the following abbreviations are used:

B E RR	Bamberger Electric Railroad Co.
D & R G W RR	Denver & Rio Grande Western Railroad Co., The
F E R A	Federal Emergency Relief Administration
I C C	Interstate Commerce Commission
L A & S L RR	Los Angeles & Salt Lake Railroad Co.
M S T & T Co.	Mountain States Telephone & Telegraph Co., The
O S L RR	Oregon Short Line Railroad Co.
P S C U	Public Service Commission of Utah
P U C U	Public Utilities Commission of Utah
S L & U RR	Salt Lake & Utah Railroad Co.
S P Co.	Southern Pacific Co.
T V Ry	Tooele Valley Railway Co.
U P RR	Union Pacific Railroad Co.
U L & T Co.	Utah Light & Traction Co.
U P & L Co.	Utah Power & Light Co.
Ut Ry Co.	Utah Railway Co.
U R T Co.	Utah Rapid Transit Co.
W P RR	Western Pacific Railroad Co., The

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