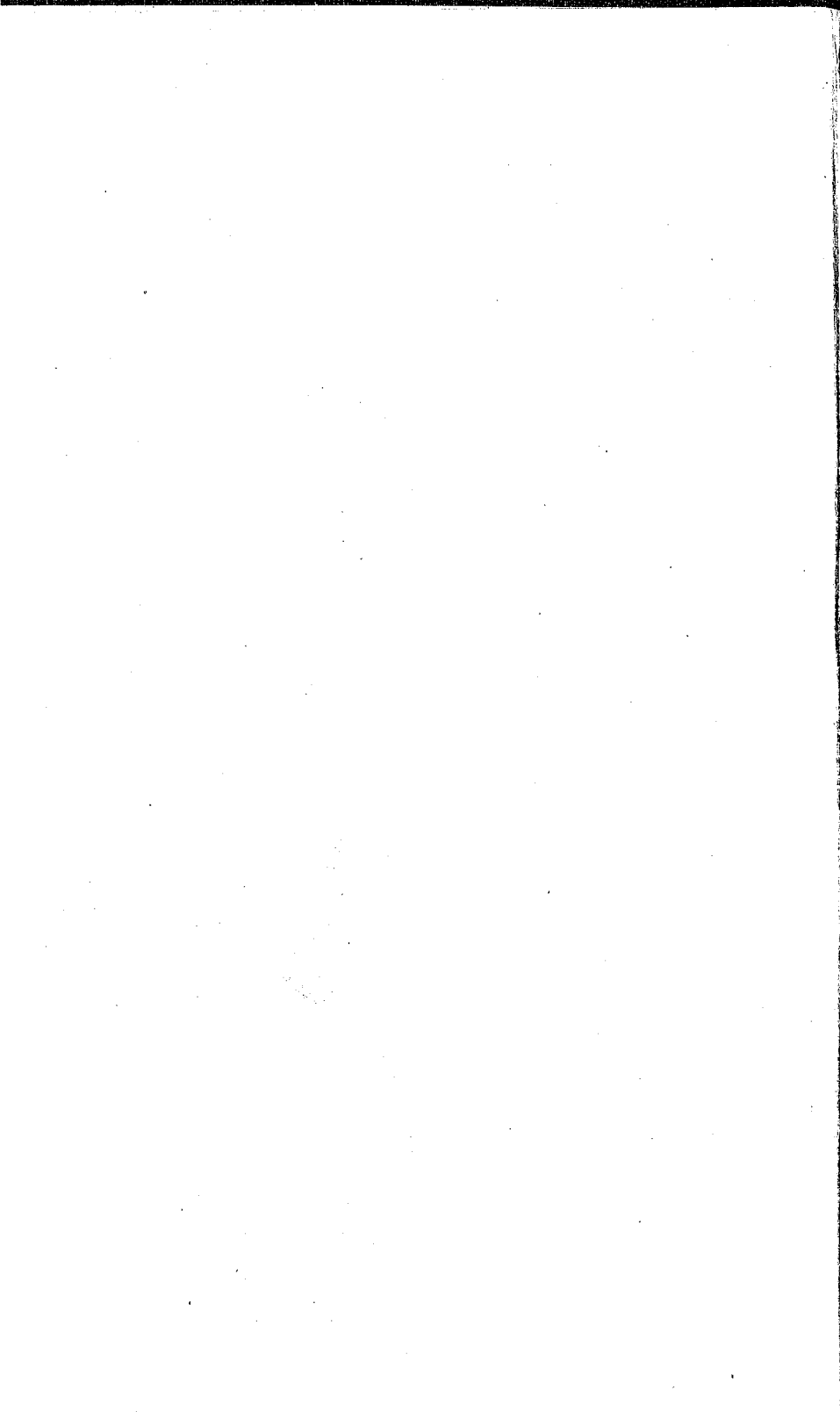


Report of the
**PUBLIC SERVICE
COMMISSION**
OF UTAH

to the Governor



*For the Period July 1, 1935
to June 30, 1936*



COMMISSIONERS

Elmer E. Corfman, President

Thomas E. McKay

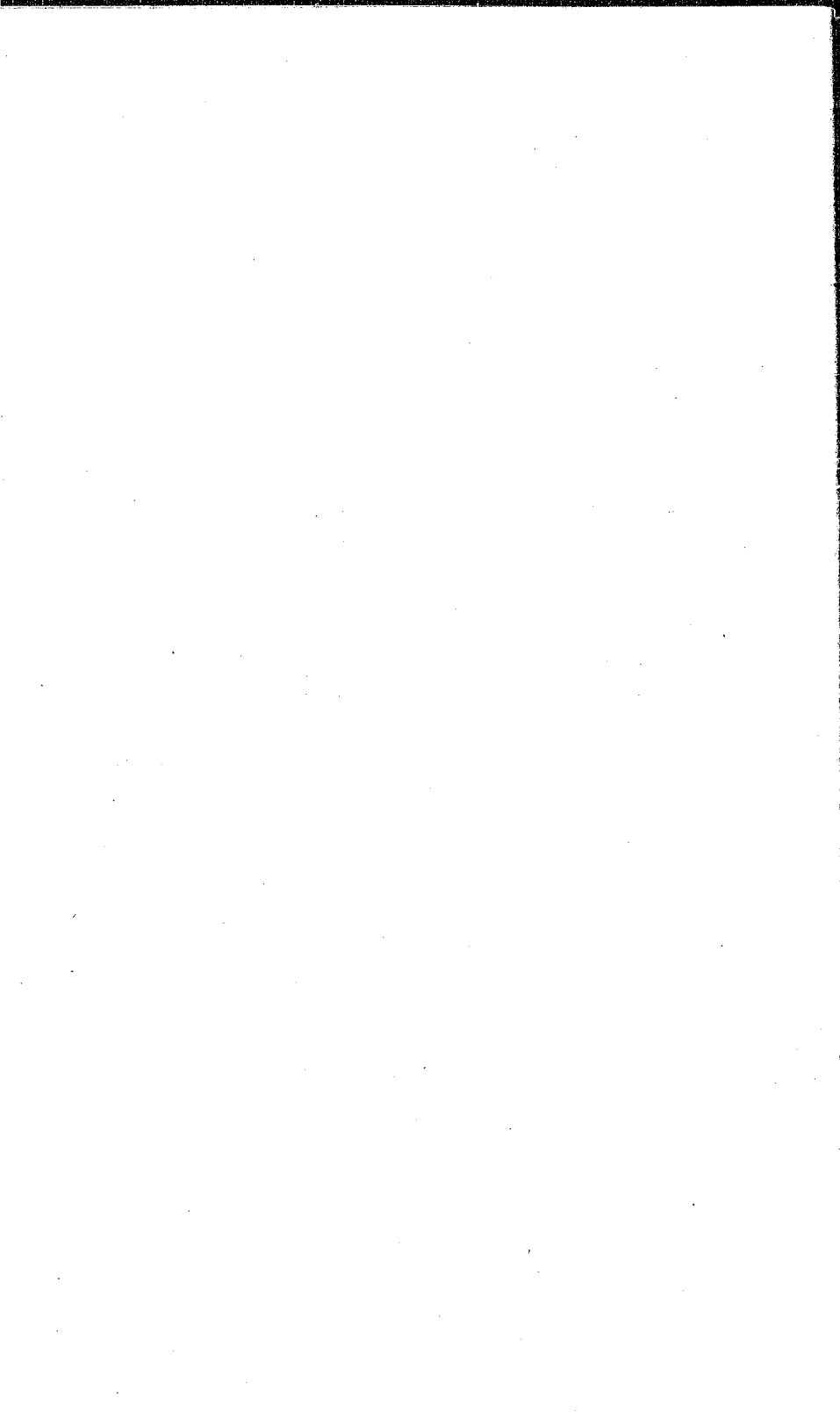
Joseph S. Snow

Theodore E. Thain, Acting Secretary

Wendell D. Larson, Secretary

Mr. Wendell D. Larson assumed duties as Secretary, June 30, 1936.

Office: State Capitol, Salt Lake City, Utah



REPORT OF PUBLIC UTILITIES COMMISSION

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To His Excellency, Henry H. Blood,
Governor of the State of Utah.

Sir:

We have the honor to submit herewith the eighteenth annual report of the Public Service Commission of Utah covering the work and accomplishments of the department for the fiscal year July 1, 1935 to June 30, 1936. This report is submitted pursuant to the provisions of 76-1-11, Revised Statutes of Utah, 1933.

In this report the Commission has continued the plan of presenting a brief summary only of a majority of the formal cases disposed of during the period. The complete report and order of the Commission has been included only in those cases of major importance and interest.

Respectfully submitted,

(Signed) E. E. CORFMAN

THOMAS E. MCKAY

JOS. S. SNOW

Commissioners.

(Seal)

ATTEST:

(Signed) WENDELL D. LARSON, Secretary.

FORMAL CASES BEFORE THE COMMISSION

The following table contains a summary of the formal cases before the Commission during the fiscal year July 1, 1935 to June 30, 1936. The cases are grouped according to subject matter of each case.

TYPE OF CASES	Number Cases Pending July 1, 1935	Cases Filed July 1, 1935 to June 30, 1936	Total Number Cases	Cases Disposed of	Number Cases Pending June 30, 1936
Electric Power & Light Rates	1	2	3	1	2
Telephone Rates	1	1	2		2
Railroad Rates	5	1	6	4	2
Gas Rates		1	1		1
Water Rates and Service	1	3	4	2	2
Grade Crossings	8	18	26	17	9
Station Agencies	1		1	1	
Street Car Service	5	1	6	5	1
Motor Transport	82	71	153	125	28
Certificate to Construct Railroad	1		1		1
Miscellaneous Cases	1	9	10	7	3
TOTAL	106	107	213	162	51

From the above table it will be noted that a total of 213 cases came before the Commission for determination, 162 of which were disposed of. During the previous fiscal year, July 1, 1934 to June 30, 1935, a total of 238 cases were before the Commission, of which 132 were disposed of. Thus it will be seen that 30 more cases were disposed of during the fiscal year ended June 30, 1936 than in the previous fiscal year. It will be observed also that applications from motor transport lines still account for a large percentage of the total cases handled by the Commission.

Certain formal cases which were before the Commission are considered to be of sufficient importance to review briefly. These cases are discussed below.

FREIGHT RATES AND CHARGES

Case No. 1573. "Utah Citizen's Rate Association, Complainant, vs. The Denver and Rio Grande Western Railroad Company, et al, Defendants." This case, which was discussed in the last annual report of the Commission, concerns itself with intrastate coal rates in Utah. The complainants in their complaint allege that certain coal rates are excessive and unreasonable and seek reduced rates for the transportation of coal between points within the State. At the closing date of this report all testimony and briefs were in and the matter was in the Commission's hands for decision.

Case No. 1658. "In the Matter of Increases in Freight Rates and Charges." In this case Class I steam railroads operating in the State of Utah made application to this Commission for authority to apply on intrastate traffic the emergency freight charges authorized by the Interstate Commerce Commission on interstate traffic in Ex Parte No. 115, Emergency Freight Charges, 1935, 208 I. C. C. 4. The electric interurban railroads operating in Utah joined in the petition before this Commission.

In Ex Parte No. 115 the Interstate Commerce Commission entered a decision on March 26, 1935, wherein it denied the increases in freight rates and charges specifically proposed by the carriers in their petition to that Commission, but permitted the carriers to add a system of emergency charges to certain existing freight rates and charges for application during the remainder of 1935 and the first half of 1936. The Utah Commission entered an order on August 17, 1935 denying in its entirety the application of the carriers for permission to make similar application of emergency charges on Utah intrastate traffic. Subsequently, the carriers filed a petition with the Interstate Commerce Commission under Section 13 (4) of the Interstate Commerce Act for a review of the proceedings before the Utah Commission.

The Federal Commission entered an order (Docket No. 27138) on December 9, 1935 wherein it found that the rates published and maintained by the carriers in Utah on intrastate traffic caused "an undue and unreasonable advantage, preference, and prejudice as between persons and localities in intrastate commerce on the one hand and interstate commerce

on the other hand," and ordered a removal of such undue and unreasonable preference, prejudice, and discrimination with the exception of rates on slack coal, coke, beet sugar molasses, and wet beet pulp, and on copper, lead and zinc ores and concentrates, in carloads. This Commission adopted a resolution on December 24, 1935 notifying the Interstate Commerce Commission of its intention to comply with the order of the Federal Commission dated December 9, 1935 to authorize the publication and application of the emergency charges on intrastate traffic in Utah. Proper filings were made with this Commission by the carriers to make the emergency charges effective on January 15, 1936. The charges were published to expire June 30, 1936.

Under date of January 24, 1936 Class I railroads of the United States filed their supplemental petition with the Interstate Commerce Commission for authority to continue after June 30, 1936, without an expiration date, the emergency charges on interstate traffic previously authorized by the Federal Commission. A similar petition was filed with the Utah Commission on February 7, 1936 with respect to intrastate application of the emergency charges. The carriers requested this Commission to defer a hearing and decision on their Utah application until the Interstate Commerce Commission had rendered its decision on their supplemental application on interstate traffic. On June 9, 1936 the Interstate Commerce Commission rendered its decision authorizing the carriers to continue until December 31, 1936 the existing emergency freight charges on interstate traffic, with certain exceptions and modifications. A hearing on the supplemental petition of carriers to continue the Utah emergency charges in effect beyond June 30, 1936 was scheduled for July 2, 1936 before this Commission.

I. & S. Docket No. 29. "In the Matter of Protest and Request for Suspension of Certain Tariffs Filed by Carriers in the State of Utah Providing Free Service of Store-Door Collection and Delivery." In this docket a petition was filed with the Commission on January 18, 1936, by and on behalf of the Utah Motor Transport Association, a non-profit corporation of the State of Utah, and various motor transport lines operating in the State of Utah, requesting a suspension of certain railroad tariffs which had been filed with the Commission providing free pick-up and delivery service in connection with intrastate movements of less-than-carload freight in Utah. The Commission issued an order on January 18, 1936, suspending the tariffs as requested until such time as the protest might be heard and determined. A hearing was held on April 15, 1936, on the matter, at which time a considerable amount of evidence was

offered. At the closing date of this report, the Commission had not rendered a decision in the matter.

ELECTRIC LIGHT AND POWER RATE AND SERVICE

Case No. 1531. "Public Service Commission of Utah, Complainant, vs. Utah Power & Light Company, Defendant." This case, instituted by the Commission on its own motion, involves an investigation of the rates, practices, and fixed capital structure of Utah Power & Light Company. An inventory and appraisal of the properties of the defendant was practically complete at June 30, 1936, and a large part of the data was in the hands of the Commission's staff assigned to this case. The Commission engaged the services of a consulting engineer to be responsible for the prosecution of this case. The consulting engineer has a staff of engineers and accountants working on the case under his direction. It is anticipated that hearings in this matter will commence during November, 1936, and that thereafter the matter will be brought to a speedy final determination.

Case No. 1865. "In the Matter of the Investigation of the Practice of the Utah Power & Light Company, an electrical corporation, imposing a penalty charge against its patrons for failure to make prompt payment of charges for electric energy." This matter, also instituted by the Commission on its own motion, involves an investigation of the practice of Utah Power & Light Company in requiring the payment of a penalty on its patrons' bills for electric service in the event such bills are not paid by a specified date after the rendition of the bill. A hearing was conducted in this matter on May 12, 1936. At the closing date of this report, the Commission had not rendered a decision in the case.

TELEPHONE RATES

Case No. 1479. "Public Service Commission of Utah, Complainant, vs. The Mountain States Telephone & Telegraph Company, Defendant." This case, which has been discussed in previous reports of the Commission, is similar in scope to Case No. 1531 discussed above. At the closing date of this report all evidence had been submitted and all hearings held, but the briefs of the respective parties had not been filed. Upon the filing of briefs the Commission will proceed to render its decision.

GAS RATES AND SERVICE

Case No. 1866. "In the Matter of the Investigation of the

practice of the Mountain Fuel Supply Company, a gas corporation, imposing a penalty charge against its patrons for failure to make prompt payment of charges for gas." This complaint, which is similar in scope to Case No. 1865, was instituted by the Commission on its own motion. The case involves an investigation of the practice of the defendant gas company in imposing a penalty against its patrons in cases where bills for gas service are not paid by a specified date after the rendition of the bill. A hearing was conducted in this matter on May 12, 1936. At the closing date of this report, the report and order of the Commission in this matter had not been rendered.

PARTICIPATION IN MATTERS BEFORE THE INTER-STATE COMMERCE COMMISSION

The Commission participated, to the extent that its facilities and finances permitted, in matters before the Interstate Commerce Commission where Utah interests were affected. The principal dockets in which the Commission participated, or to which it was a party, are reviewed briefly below.

Finance Docket No. 9791. "Southern Pacific Company Proposed Abandonment." In its original decision in this docket, the Interstate Commerce Commission denied the application of the Southern Pacific Company for permission to abandon the operation of a part of the so-called Promontory Branch extending from Kelton to Lucin, a distance of fifty-five miles, in Box Elder County, Utah. The case was reopened for further argument and the Federal Commission requested this Commission to conduct a further hearing and take additional testimony as was done in the original proceeding. The Utah Commission conducted a further hearing in the matter on March 25, 1935, after which the record of the further hearing was forwarded to the Interstate Commerce Commission with the recommendation that the application be denied. Under date of March 17, 1936, the Interstate Commerce Commission rendered its decision upon the further hearing and reargument and affirmed its previous order denying the application of the Southern Pacific Company for permission to abandon its Promontory Branch in Box Elder County, Utah.

Dockets Nos. 26720 and 26720, 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." The complaints in these dockets were filed with the Interstate Commerce Commission on October 1, 1934, and December 12, 1934, respectively, and a hearing was held in Salt Lake City in March, 1935, on the two

complaints. The complainants attacked the all-rail class rates and less-than-carload commodity rates between Utah common points and points in official and western trunk line territories, including Virginia and West Virginia, and Louisville and Paducah, Ky., and Memphis, Tenn., and excepting Colorado and Wyoming, and the ocean-and-rail and rail-ocean-and-rail class rates and less-than-carload commodity rates between Utah common points and points in official territory and sought the establishment of reasonable class rates for the future and reparation on certain shipments which had moved in the past. The Utah Commission intervened on behalf of complainants. The Federal Commission entered a report and order on June 30, 1936, wherein it found that class rates, and in certain instances less-than-carload commodity rates, between Ogden and Salt Lake City, Utah, on the one hand, and points in western trunk line and official territories, on the other hand, were unreasonable for the future but not unreasonable for the past and maximum reasonable rates were ordered for the future. In the same report and order the Commission found that ocean-rail and rail-ocean-rail class and less-than-carload commodity rates between Atlantic Seaboard Territory and Ogden and Salt Lake City were not unreasonable.

Ex Parte No. 115. "Emergency Freight Charges, 1935." This docket was discussed in connection with Case No. 1658, page 7, and need not be elaborated on further at this point.

INFORMAL DOCKETS

There were twenty-three informal dockets before the Commission, twenty-two of which were disposed of to the satisfaction of the parties involved. One informal docket was pending at June 30, 1936. These dockets covered such matters as reparation claims, applications for clearance permits for the construction of properties on or in connection with public utility properties with clearances other than those prescribed by the Commission in its standard clearance rules, complaints from patrons of utilities concerning the rates, practices, and service of various utilities, and other miscellaneous matters. The Commission authorized total reparation claims of \$1,424.28.

EX PARTE ORDERS

A total of 243 ex parte orders were issued authorizing the various railroads, truck and bus lines, and other utilities operating in the State to publish reduced rates, usually on one day's notice to the Commission and the public.

GRADE CROSSINGS AND CROSSING PROTECTION

The Commission issued five grade crossing permits and twelve formal orders concerning grade crossings in the State. The five permits issued authorized the construction and maintenance of crossings at grade, one for a temporary period only. Of the twelve orders issued eight authorized the construction of underpass or overhead crossings at points in the State where an open crossing created a hazard to the traveling public; two of the orders authorized the construction and maintenance of crossings at grade; and two of the orders authorized a relocation of crossings at grade.

There is included in the section of this report on statistics, for the first time, a table showing the railway with highway grade crossings on the steam railroads in Utah together with the type of protection in use at each crossing, and also a table showing railway with railway grade crossings and the type of protection in use at each crossing.

ACCIDENT REPORTS AND INSPECTION SERVICE

In the appendix of this report dealing with statistics are summaries of the number of accidents and the number of injuries and deaths resulting from operations of steam and electric railroads, and motor transport lines. A comparison of these figures with the previous fiscal year is contained in the accompanying table.

COMPARISON OF NUMBER OF ACCIDENTS, FATALITIES, AND INJURIES FROM RAILROAD AND MOTOR TRANSPORT OPERATIONS WITHIN UTAH, FISCAL YEARS ENDED JUNE 30, 1935, AND JUNE 30, 1936.

	July 1, 1934 to June 30, 1935			July 1, 1935 to June 30, 1936		
	Number of Accidents	Persons Killed	Persons Injured	Number of Accidents	Persons Killed	Persons Injured
Railroads	227	29	175	291	21	216
Motor Transport	11	4	32	16	6	39
TOTAL	238	33	207	307	27	255

During the fiscal year ended June 30, 1936, a total of eleven special investigations were made by the Commission's in-

spectors of accidents resulting from operations of railroads and motor transport lines.

CETIFICATES, PERMITS, AND LICENSES

The Commission issued 17 certificates of convenience and necessity, 26 interstate carrier licenses, and 21 contract carrier permits.

Three of the certificates of convenience and necessity authorized a power company to exercise the rights and privileges conferred by franchise by a county and two incorporated towns, respectively. Another certificate was issued authorizing a power company to construct and operate a steam electric generating plant on the Provo River in Utah County. The other thirteen certificates issued during the period authorized common carriers by motor vehicle to operate in intrastate commerce over specified routes and between designated points within the State, as carriers of property or passengers, and in some cases both property and passengers.

The 26 interstate carrier licenses were issued to motor carriers authorizing interstate common carrier operations of property or passengers, or property and passengers, and, in some instances, interstate contract hauling of property, over specified highways in the State.

The contract carrier permits issued include 16 permits granted to carriers authorizing contract hauling of property between specified points within the State. Five of the permits authorize contract hauling of property between any points and over all highways within the State. The latter mentioned permits were issued under authority of Section 9, Chapter 65, Laws of Utah, 1935.

In each of the above mentioned five cases, in which permits were granted authorizing contract hauling over all highways of the State, petitions for reconsideration and rehearing were filed by competing and protesting carriers. In Case No. 1849 (application of George A. Sims and Milton K. Sims, doing business as Salt Lake Transfer Company) the Commission denied the petitions for rehearing and reconsideration, whereupon a petition was filed in the Supreme Court of Utah for a writ of review of the whole proceeding. The plaintiffs in the action seek to have the orders of the Commission denying the petitions for reconsideration and rehearing, and granting a contract permit of this nature, vacated and set aside. At the closing date of this report, the matter had not been argued before the Court. The outcome of the action will be of great

interest to all people who are interested in the field of transportation in this State.

The Commission entered orders cancelling six interstate carrier licenses and five contract carrier permits which had been previously issued. In five of these cases the license or permit was cancelled at the request of the applicant and in six cases the license or permit was cancelled for cause.

TEMPORARY, SEASONAL, AND EMERGENCY PERMITS OR LICENSES

Section 13, Chapter 53, Laws, 1933, authorized this Commission to issue temporary permits for the transportation of property or passengers by contract motor carriers, each such permit to be limited to a period of five days. During the period July 1, 1935, to December 31, 1935, the number of permits of this nature issued were as follows:

Intrastate permits	2,531
Interstate permits	787
Total	<u>3,318</u>

Section 11, Chapter 65, Laws, 1935 (effective December 31, 1935) carries a similar provision except that it empowers the Commission to issue temporary, seasonal, or emergency permits for intrastate movements, and licenses for interstate movements, for periods up to but not exceeding sixty days. The number of permits and licenses issued under this provision during the period January 1, 1936, to June 30, 1936, were as follows:

Intrastate permits	679
Interstate licenses	162
Total	<u>841</u>

It will be observed that the number of temporary, seasonal, or emergency permits and licenses issued in the last six months of the period is much lower than the permits issued in the first six months of the period. The decrease is accounted for to a large extent through the change in the law which authorizes the Commission to issue permits and licenses of this nature for a period as long as sixty days.

ROAD MAINTENANCE TAX ASSESSMENTS

With the repeal of Chapter 53, Laws, 1933, this Commission was relieved of the duty of making ton-mile and passen-

ger-mile tax assessments against motor carriers operating for hire. The Commission had been responsible for making these assessments from March 21, 1925, the date the first law of this nature in Utah became effective, to December 31, 1935, the effective date of repeal of Chapter 53 of the 1933 Session Laws. During this entire period the rates of assessment remained the same, viz: 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 property transportation, and two and one-half mills per passenger-mile on hard surfaced roads and one mill per passenger-mile on other roads for passenger transportation.

Assessments made covering common and contract motor carrier operations over the highways of Utah during the six months' period, July 1, 1935, to December 31, 1935, total \$174,420.19. Of this amount \$84,659.36 covers passenger transportation and \$89,760.83 covers property transportation.

The gross ton mileage fees provided for in Section 133 of Chapter 46, Laws, 1935, superseded the ton-mile and passenger-mile tax law administered by this Commission and is administered by the State Tax Commission.

Believing it will be of interest to show the results of the assessments made by this Commission under the ton-mile and passenger-mile tax laws of the State from the date of inception of this type of taxation to the date of repeal of the law, the accompanying chart is included showing a summary of the assessments.

SUMMARY OF ROAD MAINTENANCE TAXES ASSESSED AGAINST MOTOR CARRIERS—March 21, 1925 to December 31, 1935

Period of Time		Passenger-	Ton-	Total
From	To	Mile Taxes Assessed	Mile Taxes Assessed	Taxes Assessed
Mar. 21, 1925	Nov. 30, 1925	\$ 6,894.68	\$ 3,569.85	\$ 10,464.53
Dec. 1, 1925	Nov. 30, 1926	14,371.19	7,655.31	22,026.50
Dec. 1, 1926	Nov. 30, 1927	22,541.93	10,932.13	33,474.06
Dec. 1, 1927	Nov. 30, 1928	35,987.33	12,413.99	48,401.32
Dec. 1, 1928	Nov. 30, 1929	40,899.51	14,390.68	55,290.19
Dec. 1, 1929	Nov. 30, 1930	46,834.84	18,970.64	65,805.48
Dec. 1, 1930	Nov. 30, 1931	55,500.01	17,565.86	73,065.87
Dec. 1, 1931	Nov. 30, 1932	55,000.19	20,825.93	75,826.12
Dec. 1, 1932	Dec. 31, 1933	94,670.72	38,702.98	133,373.70
Jan. 1, 1934	Dec. 31, 1934	123,575.43	123,270.86	246,845.79
Jan. 1, 1935	Dec. 31, 1935	144,398.69	140,812.77	285,211.46
Total		<u>\$640,674.52</u>	<u>\$409,110.50</u>	<u>\$1,049,785.02</u>

ROAD TAX AUDITS

Since January, 1934, the Commission has had a sufficient staff of field auditors to make detailed audits of the records of common and contract motor carriers operating for hire over the State highways. From January, 1934, to June 30, 1936 an additional \$57,861.75 was certified to the State Tax Commission for collection as a result of the audits made of the various carriers by the Commission's auditors. In each case where it was found that a carrier had not reported the full tonnage of property or the total number of passengers transported, the additional tax due was computed and certified to the Tax Commission.

During the fiscal year ended June 30, 1936, the auditors completed twenty-five audits and certified additional taxes of \$23,535.44 to the State Tax Commission for collection. During this period the larger operators were audited first, covering their 1935 operations. It is the Commission's plan to have audits made of all carriers' operations down to December 31, 1935, which will complete the auditing program.

From the foregoing table of road tax assessments it will be noted that the taxes assessed beginning with the year 1933 and through 1935 show a sharp increase over previous years. This sharp increase may be accounted for to a certain extent through an expansion in the motor transport industry, and also by the fact that a larger number of carriers have been subject to the payment of the tax since July 1, 1933, than prior to that date. The increase also may be accounted for to an appreciable extent by the work and activity of the Commission's auditors, and to the salutary effect their work has had upon the operators.

FEDERAL REGULATION OF MOTOR TRANSPORTATION

During the past several years a movement has gained momentum to place interstate transportation by motor vehicle under the jurisdiction and supervision of the Federal Government. The efforts of those interested in such legislation was culminated in the passage of the Federal Motor Carrier Act, 1935, which act was approved by the President on August 9, 1935. Under the provisions of this act, common and contract motor carriers of persons and property, and in certain respects, private carriers of property, operating in interstate or foreign commerce, are placed under the jurisdiction and supervision of the Interstate Commerce Commission. The latter named Commission created a Bureau of Motor Carriers through

which the motor carrier act is administered. This bureau functions under the direction of the Interstate Commerce Commission.

In the administration of the act, the Interstate Commerce Commission has solicited the cooperation and support of the various state regulatory bodies having jurisdiction over motor carriers. The ultimate purpose in this respect is to secure complete coordination between the Federal Government and the several state governments to the end that proper supervision of motor transportation over the public highways might be attained.

The Interstate Commerce Commission is authorized under the act to refer to "Joint Boards" certain matters in connection with the administration of the act. The joint boards are composed of a representative of each state regulatory commission having jurisdiction over motor carriers, or in the absence of a state commission, by someone appointed by the governor in each state in which a motor carrier operation or a proposed operation takes place. A member of the Utah Commission has been appointed to serve on several joint boards. A few hearings have been held by these joint boards on applications from motor carriers for authority to operate. In each case the respective joint board made recommendations to the Interstate Commerce Commission as to whether or not the application should be granted.

To provide satisfactory administration of the act, the Federal Commission has set up sixteen district offices at vantage points in the United States. One of these offices is in Salt Lake City, with a district director in charge. The territory under the supervision of the Salt Lake City office covers Utah, Idaho, and Montana.

By reason of the Federal Government's entrance into the field of regulation of motor carriers, it is this Commission's opinion that our present state motor transport act (Chapter 65, Laws of Utah, 1935) should be repealed in toto and a new statute enacted governing motor transportation over the highways of this State, which will be in harmony and coordinate with the federal motor carrier act.

ORGANIZATION, STAFF, AND COSTS OF OPERATION

Commission Organization. The Commission, as at present constituted, consists of three full-time commissioners appointed by the Governor, by and with the consent of the State Senate.

The Commissioners elect one of their number president of the Commission.

Staff. Through an increased appropriation made available to the Commission by the Twenty-first Legislature at its regular session, the Commission has been able to increase and enlarge its staff of employees as well as increase the scope of its activity. At June 30, 1936, the staff consisted of the following:

Secretary	1
Accountants	3
Consulting engineer (contract basis).....	1
Engineer (full-time basis).....	1
Engineers (temporary basis).....	2
Director, motor transport division.....	1
Auditors, motor transport division.....	2
Inspectors	2
Reporter (per diem basis).....	1
Assistant reporter (full-time basis).....	1
Stenographers	5
	<hr/>
Total	20

Costs of Operation. The Commission expended a total of \$49,747.86 in the operation and maintenance of the department during the fiscal year ended June 30, 1936, as will be explained below.

A general fund appropriation of \$100,000 is available for the biennium July 1, 1935, to June 30, 1937, or \$50,000 for each fiscal year. Of the amount available for the biennium \$75,000 is assessed against the utilities operating in the State under the jurisdiction of the Commission, and \$25,000 is appropriated from the general fund of the State. This assessment against the utilities is based upon the gross income from intrastate business done by each utility in the State, as provided for in Chapter 64, Laws of Utah, 1935. The State Tax Commission assesses and collects this money. The money so raised is referred to as a "regulation fee." The apparent purposes of the legislature in providing for the raising of money in this manner are to assess part of the cost of regulation directly against the utilities, to relieve the general fund of the State of part of the burden of supporting this department, and to provide additional funds to enable the Commission to function more effectively. The \$100,000 appropriation available for the present biennium is approximately twice as much as any previous appropriation to the Commission.

During the fiscal year ended June 30, 1936, the Commission expended \$41,283.32 out of the above described appropriation in the administration of the State regulatory laws applicable to public utilities, and in conducting investigations of various utilities, some of which investigations have been previously referred to in this report.

Additional funds were available to the Commission for the administration of the regulatory laws applicable to motor transport lines. Under the provisions of Chapter 53, Laws of Utah, 1933 (known as the Motor Transport Act of 1933), the Commission was authorized to use an amount not exceeding 25 per cent of the ton-mile and passenger-mile taxes collected under said act in the enforcement of the provisions of the act. This act was repealed effective December 31, 1935, and superseded by Chapter 65, Laws of Utah, 1935. The latter mentioned law contains no taxation provisions. However, under the provisions of Section 150, Chapter 46, Laws of Utah, 1935, which law also became effective December 31, 1935, the Commission is authorized to use 10 per cent of the moneys collected as licensed gross ton mileage fees under Section 133 of the same statute. Thus the Commission received funds from two separate legislative acts during the fiscal year under consideration with which to administer the laws and regulations pertaining to motor transport operations. Total expenditures for the period from these appropriation allowances were \$18,464.54.

The funds available since January 1, 1936, under the provisions of Section 150, Chapter 46, Laws of Utah, 1935, for the administration of the motor transport laws of the State have proved to be inadequate for a proper enforcement of these laws. The revenues produced under this statute appear to be less than estimates made before the passage of said act. If proper and satisfactory administration of the motor transport laws of the State is to be accomplished in the future additional funds will have to be made available for this purpose. During the time Chapter 53 of the 1933 Session Laws was in effect, the Commission had sufficient funds for proper enforcement of the motor transport laws. With the repeal of this act a source of considerable revenue to the Commission was removed which will have to be restored, at least in part, through one avenue or another, if the declared purposes of the legislature are carried out in the way of regulation of transportation by motor vehicle over the highways of this State.

Details of appropriations, receipts, and expenditures are included in Appendix 2 to this report.

PUBLIC UTILITIES UNDER JURISDICTION OF COMMISSION

The types and number of utilities operating under the jurisdiction of the Commission at June 30, 1936, are as follows:

Steam railroads—Classes I and II.....	10
Steam railroads—Class III.....	4
Electric railroads	4
Street railroads	2
Terminal companies	3
Express companies	1
Sleeping car companies.....	1
Telegraph companies	2
Telephone companies	13
Electric light and power companies.....	14
Gas companies	2
Water companies	9
Common motor carriers—intrastate.....	52
Common and contract motor carriers—interstate.....	57
Contract motor carriers—intrastate (see note 1).....	42
Total	216

1. Contract motor carriers are not considered to be public utilities under the definition of "public utility" as found in 76-2-1 (28), Revised Statutes of Utah, 1933. However, as a matter of information contract motor carriers are included in the above table as the Commission exercises certain regulatory powers over them.

The figures shown above include only privately owned and operated public utilities. The Commission is precluded from exercising its regulatory powers over municipally owned and operated utilities by a decision* of the Supreme Court of Utah handed down in 1928. The Commission feels, however, that should a municipality seek to render a public utility service to people residing outside the corporate limits of the municipality that the municipality first would have to secure authority from the Commission to render such service, and upon the granting of such authority, the municipality would be subject to regulation by the Commission with respect to such operations only. Although the matter has not been judicially determined in this State, the Commission is proceeding on this basis in dealing with the question of municipalities serving outside their corporate limits.

*Logan City vs. Public Utilities Commission of Utah and Utah Power & Light Company, 72 Utah 536.

In the above table the number of privately owned and operated water utilities may appear relatively small. This is due to the fact that practically all the cities and towns in the State own and operate a municipal water system for culinary use. In addition, there are numerous cities and towns in the State operating municipal power plants and distribution systems, or distribution systems only, for the furnishing of electrical energy to the inhabitants of said cities and towns.

RATE REDUCTIONS

From July 1, 1934, to June 30, 1936, numerous rate reductions were made effective in Utah for various utility services. The reductions primarily cover electric light and power service, and telephone service. Some of the reductions were brought about to a large extent through the efforts of the Commission, while others were made by the utilities voluntarily. The accompanying table shows a summary of the reductions made effective during the two-year period with the estimated annual savings to customers of the utilities, as a result of these reductions.

SUMMARY OF RATE REDUCTIONS AND ESTIMATED ANNUAL SAVINGS TO CUSTOMERS, FISCAL YEARS ENDED JUNE 30 1935 AND JUNE 30, 1936

Name of Company and Class of Service	Estimated Annual Savings	
	July 1, 1934, to June 30, 1935	July 1, 1935, to June 30, 1936
Utah Power & Light Co.:		
Residential service	\$ 5,600	(\$245,500
Commercial service	9,500	(
Industrial service	5,000	800
Telluride Power Co.:		
Residential service		7,500
Commercial service		2,100
Industrial service		12,000
Street lighting		1,300
Southern Utah Power Co.:		
Residential service	5,850	
Commercial service	5,650	1,500
Industrial service		6,500
Street lighting	300	

Bountiful Light & Power Co.:

Residential service		1,600
Commercial service		900
		<hr/>
Total electric light and power reductions	\$31,900	\$279,700

The Mountain States Tel. & Tel. Co.:

Exchange service	2,080	33,366
Toll service	2,135	23,000
		<hr/>
Total telephone reductions...	\$ 4,215	\$ 56,366

Utah Power & Light Co.:

Steam heating service.....		9,400
		<hr/>
GRAND TOTAL	\$36,115	\$345,466

MAJOR DEVELOPMENTS IN PUBLIC UTILITY INDUSTRY

During the period covered by this report two developments in the power and light industry in Utah took place which are of sufficient importance to mention briefly.

Objective Rate Plan. The Utah Power & Light Company adopted and instituted what is known as the "objective rate plan," effective October 1, 1935. The initial filings apply to domestic service and commercial lighting service with schedules effective in all territory in Utah served by the interconnected system of this company. This rate plan provides a 50 per cent discount from existing rates for increased kilowatt hour consumption. In other words, if a domestic customer or commercial lighting customer increases his kilowatt hour consumption during a given month over his kilowatt hour consumption during a previous similar month of the so-called "base consumption period," the increased kilowatt hours are charged for at 50 per cent of the rate which otherwise would be charged had he not increased his consumption. The 50 percent discount provision acts as a cross-over from rates existing at the time the new plan became effective to the objective rate, with the result that where a consumer materially increases his consumption over the base period consumption he will be billed on the objective rate.

The Utah Power & Light Company reports that approximately 30,000 residential customers and commercial lighting customers each month are increasing their consumption so that they receive additional service at lower rates, which results in an estimated annual savings to such customers of \$200,000.

Steam-Electric Plant. The Utah Power & Light Company applied to this Commission for authority to construct, operate, and maintain a steam-electric generating station on the Provo River in Utah County in the immediate vicinity of the company's Olmsted plant. The Commission granted the necessary authority on February 6, 1936. The plant will have a rated generating capacity of 15,000 kilowatts and will become a part of the interconnected system of this company. At the closing date of this report the construction of the plant was nearing completion.

STATISTICS OF UTILITY OPERATIONS

The section, found in Appendix 2, devoted to statistical information taken from the reports of the public utilities operating in Utah has been enlarged in this report. In addition to showing the results of operations of the public utilities doing business in this state, the Commission has attempted to present somewhat of a picture of the public utility industry in Utah through the various tables in that section.

RECOMMENDATIONS

The Commission offers the following suggestions in the way of amendments and changes in the laws under which the Commission functions:

1. That Chapter 67, Laws of Utah, 1935, relating to the payment of dividends by gas and electric utilities be amended so as not to include utilities when operating interstate, and that the jurisdiction of the Public Service Commission of Utah, under Section 1, thereof, be confined to dividends that may affect their intrastate service only.
2. That Section 1 of Chapter 1, Title 76, Revised Statutes, 1933, as amended by Chapter 63, Laws of Utah, 1935, be so amended that under its provisions no hiatus will be occasioned in the membership of the Commission.
3. There appears to be a conflict between the provisions of Subdivision 2 of 76-4-15, Revised Statutes of Utah, 1933, and the provisions of Subdivision 9, Section 1, Chapter 28, Session Laws of Utah, 1933, with respect to the installation, operation,

and maintenance of traffic control devices at railroad crossings. An amendment should be made in one subdivision or the other so as to remove the inconsistency and place full authority and responsibility in the matter of grade crossing protection devices in one department of the State government.

This apparent conflict was pointed out in a previous report of the Commission, but as yet the necessary clarification has not been attended to.

4. That Chapter 65, Laws of Utah, 1935, relative to transportation by motor vehicles be repealed, and a new regulatory law be enacted that will more nearly conform to the needs of the motor carrier industry, and harmonize with the federal "Motor Carrier Act, 1935."

APPENDIX 1

Formal Cases Before the Commission

CASE NO. 1148

In the Matter of the Application of D. R. HOUT to withdraw from and the INTERSTATE TRANSIT LINES, a Corporation, to assume the operation of an automobile passenger line between Ogden and Coalville, Utah, and intermediate points.

(Supplemental Application to cancel that part of certificate covering operating rights between Echo and Coalville, Utah.)

Submitted: September 23, 1935. Decided: October 26, 1935.

Disposition: Supplemental report and order issued cancelling that part of Certificate of Convenience and Necessity No. 361 covering operating rights for the transportation of passengers between Echo and Coalville, Utah.

CASE NO. 1227

In the Matter of the Application of the TOOEELE VALLEY RAILWAY COMPANY, for permission to substitute motor bus service for passenger train service between Warner and Tooele, Utah.

Disposition: Order issued March 28, 1936, cancelling automobile permit No. 10 issued to Tooele Valley Railway Company on July 18, 1931.

CASE NO. 1270

In the Matter of the Application of THE UTAH-IDAHO CENTRAL RAILROAD COMPANY, a corporation, for an investigation of the rates and methods of applying the same for the furnishing of electric energy by the Utah Power & Light Company to said applicant and petitioner.

Disposition: Further order of the Commission issued on March 17, 1936, modifying Rule No. 43 of Tariff No. 3 of the Utah Power & Light Company to and until April 1, 1937.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1293

In the matter of the Application of RAILWAY EXPRESS AGENCY, Inc., for a Certificate of Public Convenience

and Necessity to operate motor vehicles for the transportation of express matter between Salt Lake City and Bingham, Utah.

(Supplemental application to serve Copperton, Copperfield, and Highland Boy, Utah.)

Appearances:

E. J. Hardesty,	{	for Applicant.
Dan B. Shields,	{	for Bingham Stage Lines.
A. Pharis Johnson,	{	for Salt Lake & Bingham Freight Lines.

SUPPLEMENTAL REPORT AND ORDER OF THE
COMMISSION

By the Commission:

Under date of March 13, 1934, the Commission issued its original report and order in the above entitled matter granting to Railway Express Agency, Inc. Certificate of Convenience and Necessity No. 413 authorizing said Agency to operate motor vehicles for the transportation of express matter for hire between Salt Lake City and Bingham, Utah, over and upon Highway No. US-91 from Salt Lake City to Midvale and State Highway No. 48, Midvale to Bingham, Utah. On August 1, 1935, said Railway Express Agency, Inc. filed a supplemental application with the Commission requesting that the Commission amend Certificate of Convenience and Necessity No. 413 to authorize applicant to serve Copperton, Copperfield, and Highland Boy, Utah, in addition to applicant's present service to Bingham, Utah. Hearing on the supplemental application came on regularly before the Commission at its office in Salt Lake City, Utah, on August 19, 1935, after due and legal notice having been given to interested parties. Proof of publication of notice of hearing on the supplemental application was filed with the Commission and accepted as part of the record. From the testimony admitted and the record and files in the case, the Commission now finds and reports:

That applicant, Railway Express Agency, Inc. is a corporation organized and existing under and by virtue of the laws of the State of Delaware, and is authorized to do business in the State of Utah as a foreign corporation. The applicant is engaged in the transportation of express matter both in intrastate and interstate commerce in the State of Utah, and in and

between various other states of the United States. That since March 13, 1935, applicant has operated motor vehicles between Salt Lake City and Bingham, Utah, for the transportation of express matter, consisting of both intrastate and interstate traffic, under authority of Certificate of Convenience and Necessity No. 413 heretofore issued by this Commission in the above entitled matter. That applicant now seeks authority to serve the adjacent towns of Copperton, Copperfield, and Highland Boy, and as its reason therefore alleges as follows:

"That there is a considerable volume of express matter consigned to patrons who work in Bingham but live in Copperton, also a considerable volume to residents of Copperfield and Highland Boy.

"That the traffic transported is both interstate and intrastate. The major portion of the shipments handled originate at or are destined to points beyond Salt Lake City.

"That the traffic includes shipments of perishable commodities or of high value or of fragile nature and are intended for use at the homes of the patrons in Copperton or Copperfield or Highland Boy or at business institutions at these places.

"That if patrons are obliged to call for their shipments at Bingham there is delay and inconvenience."

That applicant proposes to render an express service to the towns of Copperton, Copperfield, and Highland Boy at the same rates as now prevail or will prevail on express shipments moving to Bingham, Utah. The service to be rendered will be daily and will not increase highway traffic inasmuch as applicant now renders a daily service to the town of Bingham, Utah. That at the present time the Bingham and Garfield Railway Company, The Denver and Rio Grande Western Railroad Company, the Bingham Stage Lines Company, and the Salt Lake and Bingham Freight Line operate between Salt Lake City and Bingham, each of which affords service for the transportation of property between Salt Lake City and Bingham. None of these carriers serve the towns of Copperton, Copperfield, or Highland Boy, but run as far as Bingham only.

That the service applicant now proposes to render will be merely an adjunct to its present service to the town of Bingham, and will not interfere with the service of any existing carrier nor will it deprive any existing carrier from traffic which it now handles.

NOW THEREFORE, by reason of the findings aforesaid and the record and files in the case, all of which are hereby

expressly referred to and made a part hereof, the Commission concludes and decides that public convenience and necessity will be better served if applicant is permitted to extend its present transportation service by motor vehicle to include the towns of Copperton, Copperfield, and Highland Boy, and that the application as applied for should be granted. The Commission is of the further opinion that applicant's operation to these three towns should be confined to the transportation of what is commonly known as express matter and that applicant should not interfere in any way with the operations of existing carriers between Salt Lake City and Bingham.

IT IS THEREFORE ORDERED, that the supplemental application herein of the Railway Express Agency, Inc. for permission to operate motor vehicles for the transportation of express between Salt Lake City and Copperton, Copperfield, and Highland Boy, Utah, in conjunction with its present operation between Salt Lake City and Bingham, Utah, be, and the same is hereby granted, and Certificate of Convenience and Necessity No. 413 heretofore issued under date of March 13, 1934, be, and the same is hereby amended to include authority to transport express matter to and from said towns.

Dated at Salt Lake City, Utah, this 24th day of September, 1935.

(Signed) E. E. CORFMAN
THOMAS E. McKAY
JOS. S. SNOW
Commissioners.

(Seal)

Attest:

(Signed) THEODORE E. THAIN
Acting Secretary.

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, to construct, maintain, and operate an electric trolley coach transportation system on certain streets in Salt Lake City, Utah, and discontinue street car service on and remove its tracks from certain streets therein.

Disposition: Supplemental report and order issued July 1, 1935, approving stipulation dated June 18, 1935, entered into by Utah Light & Traction Company, Oregon Short Line Railroad Company, State Road Commission of Utah, and Salt Lake City Corporation, covering the matter of maintenance of a viaduct in Salt Lake City, Utah.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1314

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to cross the main line tracks of the Oregon Short Line Railroad Company at grade near Kaysville, Davis County, Utah.

Submitted; January 29, 1936.

Decided: April 17, 1936

Appearances:

Ezra G. Knowlton,	}	for State Road Commission of Utah
Robert S. Porter and		for Oregon Short Line Railroad
W. Hal Farr, Attorneys,	}	Company.
D. K. Barnes,		for Kaysville and Self.
A. B. Barton,	}	for Davis County.
H. J. Barnes,		for Kaysville and Self.
Thomas E. Williams,	}	for Davis County School Board.
Jesse B. Flynn,		for Self.

REPORT OF THE COMMISSION

By the Commission:

This matter came on regularly for hearing before the Commission, after due notice given, at Kaysville, Utah, on the 17th day of July, 1933, at which time the Commission heard the applicant and certain protestants who opposed the granting of

the application. Whereupon, the Commission, on the 21st day of September, 1933, rendered a report and order on conformity with the application of the State Road Commission of Utah for permission to cross the main line tracks of the Oregon Short Line Railroad Company, now a part of the Union Pacific System, at grade near Kaysville, Utah. Thereafter, on the 12th day of December, 1935, the Oregon Short Line Railroad Company (Union Pacific System) filed an application with the Commission praying that the decision and order of the Commission of September 21 1933, be vacated and set aside for the reason that the contemplated road and crossing at grade had not been constructed in conformity with the Commission's report and order of September 21, 1933; and for the further reason that since said report and order had been rendered and made "conditions have changed and large sums of money have been appropriated by the Federal Government for the purpose of abolishing grade crossings." It was further alleged in said application of the Oregon Short Line Railroad Company to set aside the order of the Commission made September 21, 1933,

"That at the present time there is a grade crossing over the tracks of the railroad about one thousand feet south of the proposed crossing, and that there is no real necessity of establishing a grade crossing at the point in question;

"That the State Road Commission had large sums of money appropriated to it for the purpose of building overhead structures and underpasses and that it will undoubtedly have a considerable sum of money remaining after it has completed the projects now planned or under way;

"That if a crossing is established at the point in question, it should not be a grade crossing and that at least the installation of this crossing should be delayed until the projects now planned or under way are completed and it be definitely ascertained if the State Road Commission will not have sufficient funds remaining to construct an overhead crossing or an underpass at the point of said proposed crossing;

"That petitioner further shows that it has two main line tracks and a center passing track at the point of the proposed crossing and that a grade crossing at such point will be extremely dangerous."

That hearing on said Supplemental Application of the Oregon Short Line Railroad Company to have set aside the order of the Commission of September 21, 1933, came on regularly before the Commission at its office at the State Capitol in Salt Lake City on the 29th day of January, 1936, at which time and

place it was agreed on the part and in behalf of all interested parties that the Commission's report and order rendered and made on the 21st day of September, 1933, should be vacated and set aside, and a further hearing had upon the merits of the application of the State Road Commission of Utah to establish a crossing at grade over the main line tracks of the Oregon Short Line Railroad Company at or near the town of Kaysville in Davis County, Utah.

Thereupon, the Commission ordered that its report and order of September 21, 1933, be vacated and set aside, and a further hearing held before the Commission on the merits of the application of the State Road Commission of Utah to establish the proposed crossing at grade.

From the evidence adduced for and in behalf of the applicant, and all protestants, the Commission now finds and reports as follows:

That the applicant, State Road Commission of Utah, is a Commission created by the laws of Utah, having the power of establishing public roads, and the general supervision of all highways of the State of Utah, including the construction and maintenance of the same as they may be needed for the convenience of the traveling public. That said Commission has, in conjunction with other public authorities, laid out and established a state highway for the accommodation and convenience of the people of Kaysville and neighboring territory that intersects and will cross the main line railroad tracks of the Oregon Short Line Railroad Company (Union Pacific System) at or near the town of Kaysville near railroad mile post 16.25, more particularly shown and described by Applicant's blueprint exhibit attached hereto marked Exhibit "A" which is hereby referred to and made a part of these findings. That the proposed crossing at grade over the main line tracks of the Oregon Short Line Railroad Company at or near Kaysville, Utah, like all crossings at grade, will be hazardous, more especially the one proposed, but that at the present time there are no funds available, Federal or otherwise, for the construction of an overhead or underpass in lieu of said proposed crossing at grade. That the construction of said crossing at grade at this time creates a greater hazard at the point of crossing than formerly because of the fact that at the proposed point of crossing, the Railroad Company maintains a passing track and two main line tracks and will operate in the near future over said proposed crossings at grade, fast moving passenger trains over its two main line tracks.

That the proposed new highway projected by the appli-

cant, State Road Commission, is largely a local one extending in an east-west direction through the city of Kaysville with a large agricultural region or district to the north and west, contributory thereto, and it may in course of time become a part of a more important highway serving more extended areas; thereby subserving a greater convenience to the traveling public. Two blocks south of the proposed highway there is now an established highway crossing the tracks of the Union Pacific System at grade. This highway also extends through the city of Kaysville in an east-west direction, and the construction of the proposed highway would have a tendency to eliminate some of the traffic over the present highway, crossing the tracks of the Union Pacific at grade, but does not serve the convenience of the traveling public as well as would the highway proposed by the applicant.

That the City and School authorities of Kaysville, as well as the County Commissioners of Davis County, favor the construction of the proposed new highway as being in the interest of the general public of the town of Kaysville, and a greater convenience to the traveling public in general. That the cost of construction of a crossing at grade over the proposed new highway will be approximately \$4,000.00 and the cheapest cost of a grade separation structure at the point where it is proposed to build a crossing at grade would be \$50,000.00.

From the foregoing findings, and from the record of the evidence produced in this case, all of which is made a part of the Commission's findings, the Commission concludes and decides that the application of the State Road Commission to construct and maintain a crossing at grade over the main line tracks and the passing track of the Union Pacific Railroad as applied for herein should be granted.

That public safety and convenience require that the construction of said proposed crossing at grade shall include the installation of standard warning signs and signal devices, cattle guards and wing fences, and the proper maintenance thereof. That the cost of construction of said crossing, including the installation of standard signaling devices, wing fences, and cattle guards shall be borne and paid by the State of Utah (State Road Commission of Utah), and the municipal subdivisions as may be mutually agreed upon, including the highway approaches; that the cost of maintaining said signalling devices and wing fences be borne and paid for by the Union Pacific System. The cost of construction and maintaining of the highway approaches to said crossing at grade shall be borne by the State Road Commission and other public authorities.

While it has been contended at this hearing that the establishment of said crossing at grade might well be deferred until such a time as provision might be made for the using of Federal funds for the construction of an underpass or an overhead crossing in lieu of the proposed crossing at grade, this Commission believes that the construction of said proposed new highway, of which the proposed crossing at grade will become a part, should not be, in the interest of public convenience and necessity, longer delayed, and if perchance, at some time in the future, Federal or other public funds can be made available for the elimination of the crossing at grade, the same can be readily accomplished upon proper application to this Commission and showing made.

An appropriate order will follow.

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

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

ORDER

At a Session of the PUBLIC SERVICE COMMISSION OF UTAH held at its office in Salt Lake City, Utah, on the 17th day of April, A. D., 1936.

CASE NO. 1314

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to cross the main line tracks of the Oregon Short Line Railroad Company at grade near Kaysville, Davis County, Utah.

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 the State Road Commission of Utah for permission to cross the

main line tracks of the Oregon Short Line Railroad Company at grade, at or near railroad mile post 16.25 near Kaysville, Davis County, Utah, be, and it is hereby granted.

ORDERED FURTHER, that said crossing at grade shall include the installation of standard warning signs and signaling devices, cattle guards and wing fences, and the proper maintenance thereof; that the cost of construction of said crossing, including the installation of standard signaling devices, wing fences, and cattle guards and highway approaches be borne by the State of Utah (State Road Commission of Utah and municipal subdivisions thereof as may be mutually agreed upon); that the cost of maintaining said crossing at grade including the signaling devices, wing fences, and cattle guards be borne and paid by the Oregon Short Line Railroad Company (Union Pacific Railroad Company), and the highway approaches thereto by the State of Utah (State Road Commission) and other public authorities.

ORDERED FURTHER, that the Public Service Commission retain jurisdiction over the construction of said crossing at grade until completion thereof in compliance with its orders herein made.

By the Commission.

(Signed) THEODORE E. THAIN

Acting Secretary.

(Seal)

CASE NO. 1342

In the Matter of the Application of JESSE ELMER TIETJEN, for a permit to operate as a contract motor carrier of property between Salt Lake City, Utah, and Nephi, Utah.

(Application to amend, to transport motion picture films and accessories for the Jewell Theatre at Santaquin, Utah.)

Disposition: Further supplemental report and order issued September 24, 1935, granting supplemental application to amend Contract Carrier Permit No 12 to include the hauling of films and accessories for the Jewel Theatre at Santaquin, Utah, in connection with applicant's contract operations between Salt Lake City and Payson.

CASE NO. 1350

In the Matter of the Application of LEE PIERCE, for a permit to operate as a contract motor carrier of property between Sigurd and Torrey, Utah.

Disposition: Order issued June 4, 1936, cancelling Contract Carrier Permit No. 35 issued on May 1, 1934.

CASE NO. 1373

In the Matter of the Application of JOSEPH COOLEY for a permit to operate as a contract motor carrier of property between Salt Lake City, Utah, and Murray, Utah, and vicinity.

Disposition: Order issued October 25, 1935, cancelling Contract Carrier Permit No. 27 issued on November 22, 1933.

CASE NO. 1462

In the Matter of the Application of INTER-MOUNTAIN TRANSFER COMPANY of Ogden, Utah, for a license in interstate commerce.

Disposition: Order issued March 26, 1936, dismissing application without prejudice.

CASE NO. 1463

In the Matter of the Application of INTER-MOUNTAIN TRANSFER COMPANY for a permit.

Disposition: Order issued March 26, 1936, dismissing application without prejudice.

CASE NO. 1479

PUBLIC SERVICE COMMISSION OF UTAH, Complainant,
vs. THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, Defendant.

(PENDING)

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1489

TOWN AND CITIZENS OF MONTICELLO, Complainants, vs.
BLUE MOUNTAIN IRRIGATION COMPANY, Defendant.

Submitted: December 20, 1933. Decided: October 29, 1935.

Appearances:

F. B. Hammond, Attorney,	{ for Town and Citizens of Mon-
Donald T. Adams, Attorney,	{ for Blue Mountain Irrigation

REPORT AND ORDER OF THE COMMISSION

THOMAS E. McKAY, Commissioner:

On the 20th day of November, 1933, the Town Board and more than twenty-five citizens of Monticello, patrons of the Blue Mountain Irrigation Company, filed a complaint with the Public Utilities Commission of Utah (Public Service Commission of Utah) to the effect that the rates charged them for irrigation and culinary water and for electric light and power service rendered by the said Company are unjust and unreasonable, and prayed that the Commission, after hearing, order reductions.

A copy of the complaint was served upon the Blue Mountain Irrigation Company by the Commission on the 21st day of November, 1933, and November 26, 1933, the Company made answer thereto, in effect denying the allegations of the Complainant.

Thereupon, a hearing was held upon the complaint and answer, after due notice given, at Monticello, Utah, on the 20th day of December, 1933, and the matter taken under advisement by the Commission. Before said hearing was held, and for a long time after said case had been submitted to the Commission for report and order, negotiations were pending between the Town of Monticello and the defendant Company for the purchase on the part of Monticello of the electric power system together with certain water rights, and the distributing systems then owned and operated by the Company. Meanwhile, on the 6th day of April, 1934, the Company had published new rate schedules showing material reduction of rates and charges for both electric and water services to be thereafter rendered patrons.

From the evidence adduced for and in behalf of the respective parties at the hearing and the admitted facts as disclosed by the records and files in the case, all of which is made a part hereof, the Commission now finds, reports, and orders as follows:

FIRST. That the Defendant, Blue Mountain Irrigation Company is a corporation duly organized and existing under and by virtue of the laws of Utah, with its principal office and place of business at Monticello, Utah. Said company or corporation, when first organized in the year 1913, had for its business or corporate purposes the taking over of certain water rights acquired for the incorporators, by beneficial use, and the distribution of the water as a non-profit organization to its stockholders, primarily for irrigation purposes.

SECOND. In the year 1918, the Defendant Company amended its Articles of Incorporation, so as to include among its corporate purposes, the construction, maintenance and operation of an electrical power plant with a distributing system, and a water pipe line system, for supplying the Town of Monticello and the inhabitants thereof with electrical energy for general uses, and water for town and domestic uses. Therefore, about 1917, the irrigation system of the Company was improved, the power and light system and the water system were constructed by the Company at a cost of approximately \$45,000.00, allowing nothing for the water rights to be used by the Company in rendering service to its patrons.

THIRD. The financing of the company, in order to enable it to make these improvements for serving the public, was brought about largely by amending the Articles of Incorporation in 1918 and increasing the capital stock by issuing additional shares to the stockholders of the Company, which the stockholders for the most part received and paid for in full in the way of capital assessments levied from time to time against them by the Company.

FOURTH. The original capitalization of the company for irrigation purposes in 1913, was \$15,000.00, and the water since distributed for irrigation purposes by the Company has been applied without charge to about 1300 acres of land owned principally by its stockholders.

FIFTH. According to a report rendered by the Company to the Commission for 1932, the gross revenue derived by the Company from its patrons for culinary water and light service combined for that year amounted to \$4,694.55, and its combined operating expenses for all purposes amounted to \$4,631.85.

For the year 1933, the Company's operating revenue derived from the sale of electrical energy alone amounted to \$3,230.32, and from the sale of culinary water \$2,783.43, not including charges on field and garden streams, amounting to \$237.73, a total operating revenue from all sources of \$6,251.48. The combined operating expenses for all systems, irrigation, culinary water, and power and light for 1933 was \$3,357.63.

For the year 1934, the Company's operating revenue derived from the sale of electrical energy alone amounted to \$3,408.54, and from the sale of culinary water, \$2,678.56, a total operating revenue from both sources of \$6,089.10; and the operating expense for all systems amounted to, for this year, \$3,721.53.

SIXTH. In Case P. U. C. U. 41, decided by the Public Utilities Commission, October 11, 1918, in which the rates and charges of the Company for domestic water service were under investigation by the Commission, the following rates and charges for water service were authorized by the Commission.

"For water service, for domestic purposes only,
per family per month.....\$ 2.60

For water for livestock, 10c per head per month,
with minimum charge per month..... 1.50"

In P. U. C. U. Case No. 42, decided by the Commission at the same time, wherein rates and charges of the Company for electrical service were involved, the Commission authorized among others, the following rates and charges:

" Meter rate per K. W. H.....\$.25

Minimum meter rate per month..... 2.25"

In the above mentioned cases, while the Public Utilities Commission permitted the Company, on the showing made, to temporarily increase its charges for both electric and domestic water service, as applied for by the Company, the Commission at the same time ordered that the Company keep separate and distinct accounts for its several public utility operations which order the Company has, in its methods of bookkeeping, failed to comply.

SEVENTH. The Company now proposes and petitions for approval of the following rates and charges for its services, to-wit:

FOR WATER

"For first tap per family per month.....	\$ 2.00
For lawn water, per month.....	1.25
For corral water, per month.....	1.25
For water stock without tap, per head per month..	.10
For business houses, per tap, per month, not including Hotels, Garages, Service Stations, and School Houses	2.00
For Hotels, Garages, Service Stations and School Houses	3.00

FOR ELECTRICAL ENERGY

Minimum charges of Electrical energy including 12 K. W. H.....	\$ 2.00
For additional K. W. H. from 12 up to and including 16 K. W. H., 12½c per K. W. H.....	.12½
For each additional K. W. H. over 16 K. W. H. per month up to and including 300 K. W. H. per month .....	.07
For all K. W. H. per month exceeding 300 K. W. H. per month .....	.05"

EIGHTH. For the most part the present proposed rates and charges for service of the Company are material reductions over the Company's present and past charges for services.

NINTH. The Company in its past operations has never deducted nor set aside from its operating revenues any amount for depreciation of its properties devoted to public service, nor has the Company since its organization paid any dividends to its stockholders upon capital investment of the Company.

Monticello and its environs, the territory served by the Company, is populated by a people primarily engaged in agriculture and livestock pursuits. The stockholders and rate payers of the company involved in this investigation are largely residents and property owners of the territory served by it. As property owners of the territory, and as patrons and stockholders of the company, their interests are to a very large extent mutual.

However, it is apparent from the record of the business conduct of the Company in the past, that before it can accord fair treatment to its stockholders and rate payers alike, the management must adopt and follow different methods of con-

ducting its corporate affairs and other than those which now prevail. As a corporation engaged in rendering public utility service, as an Irrigation Company, as an "electrical corporation" and a "water corporation" within the meaning of the Statutes of Utah, its corporate business should be segregated, and the cost of construction, maintenance and operation of each utility, by proper bookkeeping and accounting methods established. Until this is done, the management of the Company will not be able to accord entirely equitable and fair treatment to its stockholders and patrons, nor will this Commission in the exercise of its regulatory powers be able to properly investigate and determine what rates can be justly and legally charged the different classes of rate-payers.

It is our opinion that the company will find it well worth while to have its properties devoted to public service inventoried and appraised by a competent engineer, so that the kind and value of its property devoted to each service can be determined.

Owing to the fact that the prosperity of the territory served by the Company has during the past few years been seriously affected by drouth and depressed economic conditions, we will in deference to the present management of the Company, permit the recommended reduced rates of the Company to stand as temporarily approved only.

The Commission retains jurisdiction of the matters and things involved in these proceedings, pending the filing with the Commission by the Company on or before October 28, 1936, of a full and complete separate inventory and appraisalment of the property devoted to each public utility service it renders; meanwhile,

IT IS ORDERED, That the Company shall henceforth keep strict and accurate, separate books of accounting for the several utilities managed and operated by it in rendering service to the public.

(Signed) THOMAS E. McKAY,
Commissioner.

(Seal)

We Concur:

(Signed) E. E. CORFMAN
JOS. S. SNOW
Commissioners.

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

CASE NO. 1510

UTAH CONSTRUCTION COMPANY, Complainant, vs. THE DENVER & RIO GRANDE WESTERN RAILROAD COMPANY, et al., Defendants.

(PENDING)

CASE NO. 1514

In the Matter of the Application of B. E. PHILLIPS for a license to operate as a common motor carrier of property in interstate commerce between Salt Lake City, Ogden, and Evanston, Wyoming.

Disposition: Order issued October 10, 1935, cancelling Interstate Carrier License No. 44 issued to B. E. Phillips on April 6, 1934.

CASE NO. 1531

PUBLIC SERVICE COMMISSION OF UTAH, Complainant, vs UTAH POWER & LIGHT COMPANY, a Corporation, Defendant.

(PENDING)

CASE NO. 1536

In the Matter of the Application of THOMAS W. PERRY for a permit to operate as a contract motor carrier of property between Salt Lake City, Heber City, and Park City, Utah, over Highway No. 40. (Supplemental application to haul, in addition to present contracts, for The Star Market, The New Deal Market, Paul Brothers & Wilson, all of Park City, Utah.)

Submitted: December 18, 1935.

Decided: April 23, 1936.

Disposition: Supplemental application for an amendment to Contract Carrier Permit No. 63 to haul, in addition to his present contracts, for the Star Market, The New Deal Market, and Paul Brothers & Wilson, all of Park City, Utah, denied.

CASE NO. 1560

In the Matter of the Application of J. E. SARNES for a license to operate as a common motor carrier of property in interstate commerce between Salt Lake City, Ogden, and

Wellsville, Utah, and Casper, Wyoming, over Highways 30-S and 91.

Disposition: Order issued September 9, 1935, cancelling Interstate Carrier License No. 56 issued to J. E. Sarnes on May 23, 1934.

CASE NO. 1562

In the Matter of the Application of C. M. ANDERSON for a permit to operate as a contract motor carrier of property between Sandy and Salt Lake City, Utah. (Supplemental application for transfer of operating rights to W. C. Anderson.)

Submitted: August 19, 1935. Decided: October 24, 1935.

Disposition: W. C. Anderson authorized to operate as a contract motor carrier for the transportation of beer for the Fisher Brewing Company from Salt Lake City, Utah, to Midvale, Sandy, Jordan, and Riverton, Utah, via U. S. 91, the Redwood Road, and county roads tributary thereto, under authority of Contract Carrier Permit No. 68 previously issued in said case.

CASE NO. 1564

In the Matter of the Application of BUCKINGHAM TRANSPORTATION COMPANY OF COLORADO, INC. for a license to operate as a common motor carrier of property between Denver, Colorado, and Salt Lake City, Utah, over and upon Highways Nos. U. S. 30-S, U-49, and U. S. 91.

Disposition: Order issued November 15, 1935, cancelling Interstate Carrier License No. 55 issued to Buckingham Transportation Company of Colorado, Inc. on May 23, 1934.

CASE NO. 1569

In the Matter of the Application of REID AND HUNSAKER, co-partners, for a permit to operate as a contract motor carrier of property between Delta, Deseret, and Hinekey, Utah, and Salt Lake City, Utah, over Highways Nos. 91 and 25.

Disposition: Order issued August 20, 1935, cancelling Contract Carrier Permit No. 77 issued to Reid & Hunsaker on September 7, 1934.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1572

INTERMOUNTAIN MARBLE COMPANY, Complainant, vs.
THE DENVER & RIO GRANDE WESTERN RAILROAD
COMPANY, Defendant.

Submitted: June 13, 1934.

Decided: August 19, 1935.

Appearances:

Bert L. Penn,	} for Complainant.
J. A. Gallaher and A. J. Cronin,	
	} for Defendant.

REPORT AND ORDER OF THE COMMISSION

By the Commission:

On the 16th day of March, 1934, the Intermountain Marble Company, hereinafter for convenience referred to as Complainant, filed a formal complaint herein against The Denver and Rio Grande Western Railroad Company, hereinafter referred to as Defendant, alleging in substance and to the effect, that during the period April 1, 1932, to and including February 1, 1933, Complainant shipped from Birdseye Spur, Utah, to Salt Lake City, Utah, via the railroad lines of the Defendant approximately twenty (20) carloads of rough marble blocks of irregular shape, the individual pieces exceeding 1000 pounds each in weight; that the car-load rate exacted by the Defendant for the transportation of the shipment was \$2.14 per ton of 2000 pounds as published in Item 6660-A, Supplement 83 of the Defendant's Tariff No. 4975-D, P. U. C. U. No. 42; that at the time the shipments moved, there was in effect a rate applicable to rough stone of irregular shape, pieces exceeding 1000 pounds each in weight from Milburn, Utah (to which Birdseye Spur, Utah, is intermediate), to Salt Lake City, Utah, of \$2.02½ per ton of 2000 pounds, which last mentioned rate was published in Item 6630 of Defendant's Tariff No. 4975-D, P. U. C. U. No. 42.

That by reason of the facts above stated the Complainant alleges and makes the claim that it has been subjected to the payment of rates and freight charges for the transportation of the shipments which were unlawfully exacted and in violation of the provisions of Title 76, Chapter 3, Section 6, Paragraph 2, Revised Statutes of Utah, 1933.

Complainant prayed that the Defendant be required to answer the charges made in its complaint and that after due

hearing and investigation this Commission issue an order commanding the Defendant to pay Complainant for the alleged unlawful exaction of transportation charges on the shipments an amount equal to the difference between the freight charges paid and those which the Commission shall determine that the Defendant should have exacted, under the laws of the State of Utah, together with interest thereon from date of payment by the Complainant of the charges, and for general relief.

In due time, the defendant answered, admitting that it is a common carrier, engaged in the transportation of property between points in Utah, and also admitted in effect publication of the tariffs mentioned and referred to in the complaint, but denied any violation of the Utah statutes and prayed that the complaint be dismissed.

Hearing on the complaint and answer was had before the Commission at its office in the State Capitol on the 13th day of June, 1934. From the evidence adduced for and in behalf of the respective parties the Commission finds, reports, and orders as follows:

That the Complainant, Intermountain Marble Company, is a corporation organized and existing under and by virtue of the Laws of the State of Utah, and as such for more than two years prior to the filing of its complaint herein against the Defendant, was, ever since has been, and is now engaged in the business of manufacturing stone building products.

That the Defendant, The Denver and Rio Grande Western Railroad Company is a railroad corporation, doing business as a common carrier of property in the State of Utah, and as such received and transported for the Complainant over its line of railroad from Birdseye Spur, Utah, to Salt Lake City, Utah, commencing April 8, 1932, and ending January 31, 1933, twenty carloads of rough marble blocks of irregular shape, weighing over 1000 pounds each, for which services the Defendants exacted of, and Complainant paid the Defendant \$2.14 per ton in accordance with its published tariff, Item 6660-A, Supplement 83, No. 4975-D, P. U. C. U. No. 42, effective August 24, 1931, providing for a rate on "marble, rough" moving from Birdseye Marble Spur, Utah, to Salt Lake City, Utah, of \$2.14 per ton of 2000 pounds.

When said shipments moved, Defendants published tariff, Item 6630, Tariff No. 4975-D, P. U. C. U. No. 42 was in effect, and provided for a rate on "Rough stone of irregular shape, pieces exceeding 1000 pounds each in weight, moving between Milburn, Utah and Salt Lake City, Birdseye Marble Spur being

an intermediate point between Milburn and Salt Lake City, of \$2.02½ per ton of 2000 pounds.

That the aggregate weight of the twenty carload shipments received of and transported for the Complainant by the Defendant from Birdseye Marble Spur to Salt Lake City, Utah, during the period commencing April 8, 1932, and ending January 31, 1933, was 1,588,000 pounds for which transportation the Defendant exacted of, and the Complainant paid freight charges amounting to \$1,699.15, or an excess of \$91.52 over the Defendant's published rate, Item 6630, Tariff No. 4975-D, P. U. C. U. No. 42, for "Rough Stone of irregular shape, pieces exceeding 1000 pounds each in weight, moving between Milburn, Utah and Salt Lake City, Utah."

It is the contention of the complainant that when the shipments moved the Defendant was publishing and had in effect two tariffs applicable to the same commodity, one providing for a rate of \$2.14 and the other for a rate of \$2.02½; that "marble rough" and "rough stone" meant for making proper and legal charges, the same; and according to the well known and firmly established principle, the lesser instead of the higher rate should have been applied to the shipments involved.

The Defendant makes the claim that the \$2.14 rate was a specific rate on "rough marble"; that where a tariff mentions a specific article or commodity, it should be strictly applied to the commodity mentioned without reference to analogous articles, citing the rulings of the Interstate Commerce Commission as referred to in Interstate Commerce Acts, Annotated, p. 1489 N. 49, wherein it is said:

"A commodity rate should be strictly applied, and when provision is separately made for two articles, closely resembling each other in form and nature, and a commodity rate is subsequently established naming one of such articles, the commodity rate so established can not be applied on the similar article specifically named in the classification, but not specifically named in the commodity tariff.—" *Cromble & Co. vs. Southern Pac. Co.*, 19 I. C. C. 561; *Coffins Box & Lbr. Co. vs. Chicago & N. W. Ry. Co.*, 25 I. C. C. 249; *Otis Elevator Co. vs. New York Central R. R. Co.*, 45 I. C. C. 201.

In the consideration of the issue involved in the instant case, we are reminded of the fact that the Defendant, subsequent to the time the shipments moved, published its supplementary tariff "Item 663 Supplement 99, The Denver and Rio Grande Western Railroad Company Tariff No. 4975-D, effective April 25, 1933," wherein it expressly excepted from "Rough

Stone" the commodities "Marble, Onyx, and Jasper of irregular shape, pieces exceeding 1000 pounds each in weight."

Had supplement 99 been published and been in effect when the shipments under consideration moved, there would be no question but that the principle involved in the cases above cited and relied on by the Defendant would have application. However, such was not the fact. To the contrary, the shipments here under consideration moved from Birdseye Spur to Salt Lake City under a tariff that read "marble rough," at \$2.14, when contemporaneously the Defendant was publishing a tariff rate on "rough stone of irregular shape" from Milburn to Salt Lake City of \$2.02½. Therefore, this brings us to the consideration of the question as to whether or not "marble or onyx, rough" and "rough stone of irregular shape" as published in the respective tariffs of the Defendant at the time the shipments moved meant for the purpose of charging proper rates one and the same thing.

Lexicographers Funk and Wagnalls define marble as "A rock composed mainly of calcium carbonate or of calcium and magnesium carbonates, of such color and texture as to be of value for building or ornamental purposes." Stone is defined by the same Lexicographers as "A small piece of rock."

Webster's Unabridged Dictionary defines marble as being "Any species of calcareous stone or mineral of a compact texture, and of a beautiful appearance, susceptible of a good polish;" and stone as "A mass of concretion, earthly or mineral matter."

In the light of the foregoing definitions, marble is especially designated and distinguished from the general description of stone. It necessarily follows it should be so regarded in defendant's tariffs.

Let it be conceded that the general term "stone" is inclusive of the term "marble"; the fact remains that in the defendant's tariff under which the shipments moved and the charge of \$2.14 was made against the complainant, the commodity was specifically designated as "marble rough" and such specific description we think must be held to supersede the general description and the more comprehensive term "rough stone" found in the defendant's tariff providing for the \$2.02½ rate. In other words, "stone" must be considered as a generic name, relating to an extensive class, while "marble" must be held to apply to a specie. Of course, there is some analogy between all species of stone but when a particular specie is designated in a tariff it has been held improper to apply the specific commodity

rate to analogous articles. As we view it that is precisely what is sought for by the Complainant in this case. While we are not necessarily bound by the rulings of the Interstate Commerce Commission in matters of tariff interpretation, we are inclined to closely adhere to that Commission's rulings for our guidance. The Federal Commission has consistently held that it is improper to apply specific commodity rates on analogous articles: American Radiator Co. vs. Director General, 87 I. C. C. 231; Cutler-Hammer Mfg. Co. vs. Director General, 88 I. C. C. 600; Cullum & Boren Co. vs. Chicago B. & Q. R. Co., 93 I. C. C. 354; Milne Chair Co. vs. Atlantic Coast Line R. Co., 102 I. C. C. 165; Bush Bros. & Co. vs. Cumberland Transp. Co., 107 I. C. C. 571; Chevrolet Motor Co. of St. Louis vs. Baltimore & O. R. Co., 109 I. C. C. 184; Great Northern Paper Co. vs. Banger & A. R. Co., 113 I. C. C. 463.

In view of the facts found, and for the reasons stated, we conclude that the complainant has not been damaged; that its complaint should be, and the same is hereby dismissed.

(Signed) E. E. CORFMAN
THOMAS E. MCKAY,
JOS. S. SNOW
Commissioners.

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

CASE NO. 1573 ,

UTAH CITIZENS RATE ASSOCIATION, Complainant, vs
BAMBERGER ELECTRIC R. R. CO., BINGHAM & GAR-
FIELD RY. CO, CARBON CO. RAILWAY CO., THE
DENVER & RIO GRANDE WESTERN R. R. CO., LOS
ANGELES & S. L. R. R. CO., OREGON SHORT LINE
R. R. CO., SALT LAKE & UTAH R. R. CO. (D. P. Aber-
crombie, Receiver), SOUTHERN PACIFIC COMPANY,
TOOELE VALLEY RY. CO., UNION PACIFIC R. R.
CO., THE UTAH IDAHO CENTRAL R. R. CO., UTAH
RAILWAY CO., THE WESTERN PACIFIC RAILROAD
CO., Defendants.

(PENDING)

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.

Disposition: Order issued March 26, 1936, dismissing application without prejudice.

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.

Disposition: Order issued March 26, 1936, 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. (Supplemental application to obtain authority to operate via U. S. Highway No. 30-S over the Snowville Cut-off.)

Submitted: December 17, 1935. Decided: February 4, 1936.

Disposition: Ray Lilenquist, d/b/a Utah California Motor Lines, authorized to use Highways Nos. U. S. 91 and 30-S. (over what is commonly known as the Snowville Cut-off) as an alternate route between Salt Lake City and the Utah-Idaho State Line, in his operations as a common motor carrier of property in interstate commerce under Interstate Carrier License No. 66.

CASE NO. 1614

In the Matter of the Application of A. P. HEMMINGSEN for a permit to operate as a contract motor carrier of property (U. S. Mail) in intrastate commerce between Lark, Utah, and Revere Switch, over county road not numbered.

Submitted: February 6, 1935. Decided: August 9, 1935.

Disposition: Contract Carrier Permit No. 116 issued authorizing A. P. Hemmingsen to operate as a contract motor carrier of U. S. Mail between Lark, Utah, and Revere Switch, Utah, via a county road.

CASE NO. 1615

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

Disposition: Order issued February 4, 1936, dismissing application without prejudice.

CASE NO. 1617

In the Matter of the Application of PETER McKELLAR for an interstate license to operate as a common motor carrier of property, including U. S. Mail, between Wendover, Utah, and Gold Hill, Utah, via unnumbered highway.

Disposition: Order issued January 21, 1936, dismissing application without prejudice.

CASE NO. 1618

In the Matter of the Application of WM. RAY NIELSON for a permit to operate as a contract motor carrier of property (U. S. Mail) between Richfield and Annabella, Utah, via Highway No. 89.

Submitted: April 17, 1935.

Decided: August 1, 1935.

Disposition: Contract Carrier Permit No. 115 issued authorizing Wm. Ray Nielson to operate as a contract motor carrier of U. S. Mail between Richfield and Annabella, Utah, via U. S. Highway No. 89.

CASE NO. 1620

In the Matter of the Application of JOHN CHAMBERLAIN for a certificate of convenience and necessity to operate as a common motor carrier of property in intrastate commerce between Marysvale and points in Kane County and between Cedar City and points in Kane County.

Submitted: September 19, 1934.

Decided: July 6, 1935.

Disposition: Certificate of Convenience and Necessity No. 433 issued authorizing John Chamberlain to operate as a common motor carrier of property in intrastate commerce between Marysvale, Utah, and Kanab, Utah, serving the intermediate

towns of Sevier, Summit, Glendale, Orderville, Mt. Carmel Junction, and Mt. Carmel, via U. S. Highway No. 89, and Alton, via Utah Highway No. 11; and between Cedar City and Kanab, Utah, over and upon Highways Nos. U. S. 91, U-15, and U. S. 89, serving the same intermediate towns as above named, with the following restrictions:

Applicant's operations to be restricted to the movement of sheep, cattle, lambs, wool, and truck-load lots of merchandise between Marysville and Kanab, and the intermediate towns named above, and,

Applicant's operations to be restricted to the transportation of sheep, cattle, lambs, and wool only between Cedar City and Kanab, and truck-load lots of general merchandise from Cedar City to the intermediate points of Alton, Sevier, Summit, Glendale, Orderville, Mt. Carmel Junction, and Mt. Carmel.

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 carrier of passengers and property between Richfield and Torrey, Utah, serving no intermediate points, via Highway No. 24.

Submitted: April 17, 1935.

Decided: July 1, 1935.

Disposition: Certificate of Convenience and Necessity No. 439 issued authorizing applicant to operate as a common motor carrier of property and passengers between Richfield and Torrey, Utah, and intermediate points, via Utah Highway No. 24.

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, via U. S. Highway No. 91.

Submitted: April 19, 1935.

Decided: August 1, 1935.

Disposition: Interstate Carrier License No. 85 issued authorizing Jane E. Brown and Joseph R. Lund, a partnership, to operate as a contract motor carrier of property in interstate commerce between St. George, Utah, and the Utah-Arizona State Line, via U. S. 91.

CASE NO. 1623

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

Disposition: Order issued January 21, 1936, dismissing application without prejudice.

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) in intrastate commerce between Oasis and Abraham, Utah, over county road.

Disposition: Order issued January 20, 1936, dismissing application without prejudice.

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 Highways Nos. 26 and 91.

Disposition: Order issued January 20, 1936, dismissing application without prejudice.

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.

Disposition: Order issued January 20, 1936, dismissing application without prejudice.

CASE NO. 1631

In the Matter of the Application of BERT D. ADAIR for a permit to operate as a contract motor carrier of property including U. S. Mail between St. George, Utah and Enterprise, Utah, via Highway No. 18.

Disposition: Order issued January 21, 1936, dismissing application without prejudice.

CASE NO. 1632

In the Matter of the Application of C. R. BALDWIN for a license to operate as a common motor carrier of property (including U. S. Mail) in interstate commerce between Gold Hill, Utah, and Uvada, Nevada.

Disposition: Order issued January 21, 1936, dismissing application without prejudice.

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, and between Monticello and Bluff, Utah.

Disposition: Order issued January 20, 1936, dismissing application without prejudice.

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 including U. S. Mail in intrastate commerce between Paragonah, Utah and Cedar City, Utah via U. S. Highway No. 91.

Submitted: April 20, 1935.

Decided: July 25, 1935.

Disposition: Contract Carrier Permit No. 110 issued authorizing applicant to operate as a contract motor carrier of United States Mail between Paragonah and Cedar City, Utah, serving the intermediate towns of Summit and Parowan, and also as a contract motor carrier of property for H. C. Dunton of Paragonah, Parowan Drug Company of Parowan, and the Southern Utah Dairy of Parowan, via U. S. 91.

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) in intrastate commerce between Modena and Hamlin Valley, Utah.

Disposition: Order issued January 21, 1936, dismissing application without prejudice.

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) between Price and Emery, over and upon Highway No. 10.

Disposition: Order issued October 25, 1935, dismissing application without prejudice.

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, Utah, and Beaver, Utah, via Highway No. 21.

Disposition: Order issued January 20, 1936, dismissing application without prejudice.

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.

Disposition: Order issued February 4, 1936, dismissing application without prejudice.

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 Highways Nos. U. S. 50 and 450.

Submitted: August 28, 1935. Decided: September 30, 1935.

Disposition: Contract Carrier Permit No. 122 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail between Thompson, Lasal, and Monticello, Utah, via Highways Nos. U. S. 50 and 450.

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, via U. S. Highway No. 91.

Disposition: Order issued January 20, 1936, dismissing application without prejudice.

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.

Disposition: Order issued January 20, 1936, dismissing application without prejudice.

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, Utah, and Greenwich, Utah.

Disposition: Order issued January 20, 1936, dismissing application 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 property and U. S. Mail, between Evanston, Wyoming, and Randolph, Utah, over and upon Highways Nos. 3 and 65.

Submitted: May 10, 1935. Decided: September 10, 1935.

Disposition: Interstate Carrier License No. 93 issued authorizing applicant to operate as a common motor carrier of property in interstate commerce between Utah-Wyoming State Line and Randolph, Utah, via Highways Nos. U-3 and U-65.

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 including U. S. Mail between Grouse Creek, Utah, and Lucin, Utah, via county road.

Disposition: Order issued January 21, 1936, dismissing application without prejudice.

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) between Cache Junction and Clarkston, Utah, via county road.

Disposition: Order issued February 4, 1936, dismissing application without prejudice.

CASE NO. 1654

In the Matter of the Application of LEO G. SMITH for a permit to haul property and U. S. Mail between St. George and Pintura, dropping mail at the intermediate points of Washington and Leeds, Utah, via Highway No. 91.

Submitted: April 19, 1935.

Decided: July 1, 1935.

Disposition: Contract Carrier Permit No. 105 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail, ice cream for the Escalante Ice Cream Company, bread for O. P. Skaggs, and meat for C. C. C. Camps, between Pintura and St. George, Utah, via U. S. 91. Application to transport general merchandise for J. C. Penney Company at St. George, Utah, denied.

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.

Disposition: Order issued January 21, 1936, dismissing application without prejudice.

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) in intrastate commerce between Collinston, Utah, and Wheelon, Utah.

Disposition: Order issued January 20, 1936, dismissing application without prejudice.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1658

In the Matter of Increases in Freight Rates and Charges.

Submitted: May 2, 1935.

Decided: August 17, 1935.

Appearances:

J. A. Gallaher and George Williams, Attorneys, Equitable Bldg., Denver,	} for Applicant, The D&RGW RR Co. and Utah railroad carriers in general.
George H. Smith, R. B. Porter, W. Hal. Farr, Salt Lake City; and J. M. Souby, Omaha, Nebraska, Attorneys,	} for Applicant, Union Pacific System.
J. B. Hunter Esq., Ogden, Utah,	} for Applicant, Utah-Idaho Central R. R. Co.
Aldon J. Anderson, Esq., Salt Lake City,	} for Applicant, Salt Lake & Utah R. R. Co.
A. C. Ellis, Jr., Attorney, Salt Lake City,	} for Protestant, Columbia Steel Company.
B. P. Manly, Esq., and Bert L. Penn, Esq., Salt Lake City,	} for Protestant, Utah Coal Operators Ass'n.
L. K. Nicholson Esq., Salt Lake City,	} for Protestant, Garfield Chemical & Mfg. Co.
Ernest D. Salm, Esq., Salt Lake City,	} for Protestants, Utah Citizen's Rate Ass'n.; Utah Manufacturers Ass'n.; Retail Fuel Dealers Ass'n. of Utah; and Salt Lake City Retail Fuel Dealers Association.
E. L. Fischer, Esq., Ogden, Utah,	} for Amalgamated Sugar Company.

REPORT AND ORDER OF THE COMMISSION

By the Commission:

On the 7th day of September, 1934, The Denver and Rio Grande Western Railroad Company, The Western Pacific Railroad Company, Southern Pacific Company, Utah Railway Company, Union Pacific Railroad Company, Oregon Short Line Railroad Company, and the Los Angeles & Salt Lake Railroad Company, operating steam railroads in the State of Utah, in behalf of their respective lines and all other railroad carriers similarly situated, filed an application for an order

of the Public Utilities Commission of Utah (Public Service Commission of Utah) authorizing and permitting them to establish in the State of Utah emergency freight rates and charges in conformity with those authorized and required by the Interstate Commerce Commission in Emergency Freight Charges, 1935, Ex Parte No. 115, 208, I. C. C. 4. They allege:

I.

"That at the present time carriers by steam railroads are confronted with very substantial increases in their operating expenses, due principally to an increased level of wages and increased prices of materials and supplies, which increased expenses will seriously impair their financial resources and threaten to impair their capacity to continue in the public interest an efficient and adequate railway transportation service. It is therefore necessary in the public interest, as well as in the interest of your petitioners, that increases in freight rates and charges be made effective at the earliest practicable date.

II.

"That, in view of these facts, your petitioners have submitted to the Interstate Commerce Commission a petition outlining the pertinent facts which indicate that the circumstances justify and require that increases in the present freight rates and charges as therein proposed be made effective at the earliest possible date. A copy of the petition referred to is attached hereto marked Exhibit "A" and made a part hereof.

III.

"That the conditions which require an advance in interstate freight rates and charges apply equally to intrastate freight rates and charges, and an advance in the latter rates and charges equal and corresponding to those proposed for interstate freight rates and charges, as above indicated, is necessary in order to afford your petitioners the minimum measure of relief necessary in the present emergency. Should an advance in interstate freight rates and charges be authorized by the Interstate Commerce Commission, it is essential, in order that undue and unreasonable discrimination against interstate commerce and undue prejudice against shippers and localities in interstate commerce may be avoided, and in order that the increases in freight rates and charges may be fairly and equitably distributed throughout the respective states,

that the increased rates and charges on intrastate freight traffic should conform to and harmonize with those authorized or established by the Interstate Commerce Commission on interstate traffic.

IV.

"That the publication of tariffs covering an entire schedule of freight traffic will involve considerable delay. Your petitioners, therefore, respectfully request that they be permitted to make the increases in freight rates and charges herein proposed effective by the publication of a single master tariff showing all increases and filing supplements to existing tariffs making all rates therein subject to the increases shown in said master tariff, thus affording the immediate relief which the emergency demands. It will be the purpose of your petitioners to amend their tariffs as soon as possible thereafter by appropriate tariff publications naming specific rates and charges."

The Electric lines, operated in Utah, by the Salt Lake and Utah Railroad Company, The Bamberger Electric Railroad Company and The Utah-Idaho Central Railroad Company at a hearing on the application held before the Commission on the 2nd day of May, 1935, joined in the application.

At the hearing before us, no evidence was offered nor received in behalf of the applicants to show the justness and reasonableness of the rate increases sought for by the applicants. They offered the record of the proceedings had before the Interstate Commerce Commission in Ex Parte No. 115, supra, and submitted their case for decision on that alone.

The Protestants offered evidence in the way of exhibits which tend to show that the Utah rates charged by the applicants both in intrastate and interstate commerce are at present relatively high on many commodities, more especially on fireboard, pulpboard, strawboard, chipboard, and/or wallboard and paper boxes, condensed and/or evaporated milk in metal cans, and bituminous coal, particularly as shown by exhibits marked and designated Exhibits No. "C," "D," "E," "F," "G," and "H," which are hereby expressly referred to and made a part of these findings.

They also offered evidence to show that the result of freight increases meant a lowering of the carriers operating freight revenues, and the driving of traffic to other forms of transportation.

It has been shown that for a six month period covering the months of October, November and December of 1934, and January, February and March of 1935, there was moved out of Carbon County Coal Fields, in Utah, by automobile trucks, operating over public highways paralleling the lines of the petitioning rail carriers 65,904 tons of bituminous coal to destinations in Salt Lake, Utah, Wasatch, Davis, and Weber Counties, Utah.

Witnesses of long experience in the production and marketing of coal testified that the Utah coal producers, by reason of the present rates charged by the rail carriers for the transportation of coal from Carbon County coal fields to Utah destinations are rapidly being driven to the use of trucks as a means of transportation; that any added cost for rail transportation at this time would mean to the rail carriers, the loss of practically all coal traffic now moving in intrastate commerce.

Witnesses in behalf of other Utah industries affording large tonnages to the rail carriers, viz. Utah-Idaho Sugar Company that owns eight Utah beet-sugar factories, The Amalgamated Sugar Company, also operating Utah sugar factories and refiners, the Columbia Steel Company, engaged in the manufacturing of pig iron from Utah mine products and many other industrial concerns that might be mentioned say that they could not long survive if they are to be subjected to the increased freight charges sought for by the rail carriers.

Experienced witnesses have also expressed their belief that the increased rates applied for would, if allowed, result in a reduction rather than an increase of the operating revenues of the carriers.

In P. U. C. U. Case No. 1262 (decided in 1933) wherein the petitioning carriers were seeking authority to apply emergency surcharges corresponding to those permitted by the Interstate Commerce Commission in 195 I. C. C. 78, the facts were not dissimilar to those we now have under consideration. In that case the Commission declined to permit the increases sought for by the carriers. The reasons then assigned for so doing applies with greater force in the instant case than ever. From the facts presented in this case, it becomes apparent that rail carriers should soon heed, if they are to be preserved, the admonition given them in General Rate Level Investigation, 1933, No. 2600, 195 I. C. C. 78, wherein it was said:

"The record indicates clearly that no traffic is so 'tied to the rails' that it cannot be taken away by another competing

form of transport, or for which a substitute cannot be found which can be transported at the lower rates afforded by some of these competitors, or which cannot be relieved from high freight rates by the relocation of the industry so as to avoid long rail hauls, or, indeed, any rail hauls at all. The record is replete with important instances in which these courses have been forced upon industry, with resultant loss to the rail lines. Any effort to maintain the railways by assuming that certain traffic is theirs, and must remain theirs, and can be made to bear the burden of the fixed plant and a major portion of the joint costs, if persisted in, will certainly bring the system of private operation of the railways of the country to an end. All traffic is now potentially competitive; none is 'tied to the rails.' A prompt recognition of this fact and adjustment of policy to correspond is needed if the earnings of the carriers are to be kept at their present levels meager as they are. In short, the attempt to maintain rates on these supposedly non-competitive commodities on their present pinnacles will merely compel the development and use of the less expensive means of transport. Such rates exceed the worth of the service, and cannot be maintained. They have neither legal nor economic warrant."

The prophetic words of the Federal Commission, it would seem are fast coming true, as evidenced by the serious decline in the revenues of the carriers since 1933 when they were first uttered by the writer of the report in the General Rate Level Investigation above cited and referred to.

Again, it should be kept in mind that the carriers, while seeking to impose the surcharges as a matter of emergency relief have, seemingly at least, not taken into consideration the difficulties large Utah industrial and manufacturing interests are contending with in order to keep going, and afford the carriers the heavy tonnage they are now enjoying as a result of their operation.

Moreover, the carriers have been fully aware of the provisions of the Utah statutes that forbid this Commission from permitting rate increases and charges under any circumstances whatever, unless the applicant makes a showing that such increases would result in just and reasonable charges for the service to be rendered.

From the facts found, and by reason of the statutes above referred to, the petition of the carriers to apply the surcharges permitted and allowed in interstate commerce by the Interstate Commerce Commission in Ex Parte No. 115, 208 I. C. C.

4, to intrastate commerce in Utah, must be, and the same is hereby denied and disallowed.

(Signed) E. E. CORFMAN
THOMAS E. McKAY,
JOS. S. SNOW
Commissioners.

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

BEFORE THE INTERSTATE COMMERCE COMMISSION

DOCKET No. 27138

Emergency Freight Charges Within Utah

Notice of Compliance by the Public Service Commission of Utah With Orders of the Interstate Commerce Commission.

WHEREAS, the Interstate Commerce Commission on December 9, 1935, in the above entitled matter rendered its report upon findings that intrastate freight rates in Utah, insofar as they do not correspond with and carry the emergency increases authorized and ordered by it on interstate freight in Emergency Freight Charges, 1935, 208 I. C. C. 4 (Ex Parte 115), have resulted, and will result in unjust discrimination against interstate commerce, except in the case of intrastate rates on slack coal, coke, beet sugar molasses, and wet beet pulp, and on copper, lead and zinc ores and concentrates, in carloads, and further found that this unjust discrimination shall be removed by applying to the present intrastate rates in Utah the emergency increases on all classes and commodities mentioned in Emergency Freight Charges, 1935, Supra, with the exception of slack coal, coke, beet sugar molasses, and wet beet pulp, and copper, lead and zinc ores and concentrates, in carloads, as are and, for the future may be contemporaneously maintained in accordance with the findings in Emergency Freight Charges, 1935, Supra, on corresponding interstate traffic, without prejudice, however, to the right of the authorities of the State of Utah or of any other interested party to apply for a modification of its findings, and order if one is issued, as to any specified intrastate rate on the ground that it is not related to interstate rates in such a way as to contravene the provisions of the Interstate Commerce Act, and

WHEREAS; the Interstate Commerce Commission has ordered that unless the Public Service Commission of Utah notify it on or before December 26, 1935, that they will promptly permit the increases required, said Interstate Commerce Commission will immediately after said date issue its order requiring the establishment of increased rates on intrastate traffic in Utah, on short notice.

NOW THEREFORE, Be it resolved that the Public Service Commission of Utah on or before December 26, 1935, give notice to the Interstate Commerce Commission that it will permit carriers to publish on five days' notice to the Commission and the public the increases required, reserving, however, unto itself and any other interested parties, the right to apply to the Interstate Commerce Commission, in the proper manner, for a modification of its findings, and order if one is issued, as to any specified Utah intrastate rate on the ground that it is not related to interstate rates in such a way as to contravene the provisions of the Interstate Commerce Act, and without prejudice to any legal proceedings that may hereafter be instituted to determine the jurisdiction and the lawfulness of the rulings and orders of the Interstate Commerce Commission as made, and further without prejudice to the right of the Public Service Commission of Utah to exercise its statutory duty to determine the reasonableness of any present, past, or future intrastate freight rate.

Dated at Salt Lake City, Utah, this 24th day of December, A. D. 1935.

(Signed) E. E. CORFMAN
THOMAS E. McKAY,
JOS. S. SNOW
Commissioners.

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

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.
(Application to amend Contract Carrier Permit No. 91 issued in above matter to include freight and express.)

Submitted: June 28, 1935.

Decided: August 6, 1935.

Disposition: Contract Carrier Permit No. 91 amended authorizing Lorenzo R. Davis to transport merchandise and other property to a C. C. C. Camp located about sixteen miles east of Kamas, and also to transport merchandise and other property for the R. F. King Store at Kamas the Kamas Confectionery, the Alma Warr Novelty Shop, and a Mr. Wright of Peoa.

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 and Grover, Utah, via Highways Nos. 69 and 182.

Disposition: Order issued February 4, 1936, dismissing application without prejudice.

CASE NO. 1662

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

Disposition: Order issued January 20, 1936, dismissing application without prejudice.

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.

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

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.

Disposition: Order issued February 4, 1936, dismissing application 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, via Highways Nos. U. S. 89 and U-28.

Submitted: April 17, 1935.

Decided: August 1, 1935.

Disposition: Contract Carrier Permit No. 114 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail between Gunnison and the Gunnison Railroad Station, Centerfield, and Fayette, Utah, via Highways Nos. U. S. 89 and Utah 28.

CASE NO. 1669

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

Disposition: Order issued January 20, 1936, dismissing application without prejudice.

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 property between Ouray and Ft. Duchesne, Utah, over county roads.

Disposition: Order issued January 20, 1936, dismissing application without prejudice.

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 (including U. S. Mail) in intrastate commerce between Gold Hill, Utah, and Ibapah, Utah.

Disposition: Order issued January 21, 1936, dismissing application without prejudice.

CASE NO. 1679

In the Matter of the Application of HENRY R. JOLLEY for a permit to operate as a contract motor carrier of property (U. S. Mail) between Angle, Utah, and Antimony, Utah, via Highways No. 62 and 22.

Disposition: Order issued January 20, 1936, dismissing application without prejudice.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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.

Submitted: April 11, 1935.

Decided: May 5, 1936.

Appearances:

Harold E. Wallace, Attorney, } for Applicant.

W. Hal Farr, Attorney, } for O. S. L. R. R. Co.

REPORT OF THE COMMISSION

By the Commission:

On September 24, 1934, Salt Lake County, a Political Subdivision of the State of Utah, filed its application herein for permission to establish a railroad crossing over the tracks of the Oregon Short Line Railroad Company. After due and legal notice given to interested parties, said matter came on regularly for hearing before the Commission at its office in Salt Lake City, Utah, on November 5, 1934. Further hearing was held on April 11, 1935, relative to the matter of apportionment of costs of construction and maintenance of said grade cross-

ing as between the applicant, Salt Lake County, and the Oregon Short Line Railroad Company. From the record and files in the case the Commission now finds and reports as follows:

That applicant, Salt Lake County, is a political subdivision of the State of Utah, and that Oregon Short Line Railroad Company is a common carrier of passengers and property for hire by rail in the State of Utah, both in intrastate and interstate commerce.

That the tracks of the Oregon Short Line Railroad Company traverse First West Street between Twenty-first and Twenty-seventh South Streets in Salt Lake County, State of Utah, and cover the property more particularly described as Lots 7 and 12, Block 39, Ten-Acre Plat "A," Section 24, Township 1 South, Range 1 West, as shown on map attached to application, which map is hereby expressly referred to and made a part hereof. That Fruit Street is situate in Salt Lake County and is located between First and Second West Streets in said county and adjoins the Oregon Short Line Railroad Company's right of way on the west; that Haven Street runs between West Temple and First West Streets and adjoins the said Oregon Short Line Railroad Company's right of way on the east; that said Fruit and Haven Streets are at present blind streets and have no ingress or egress over said Oregon Short Line Railroad Company's right of way; that in order to open and join the two aforementioned streets it is necessary that a sixty-six (66) foot right of way be obtained over and through the tracks and property of the Oregon Short Line Railroad Company.

That vehicles desiring to cross the railroad tracks must either go to Twenty-first South or Twenty-seventh South Streets, and that school children are in the habit of walking along the railroad tracks to get to school, the latter condition resulting in a hazardous and unsafe condition for said school children.

That subsequent to the formal hearing held in this matter on November 5, 1934, the said parties reached an agreement and proceeded to open up and construct the grade crossing at the point under consideration, by and with the verbal consent of this Commission. That on April 24, 1936, the said parties to the proceeding filed herein a copy of a contract between the Oregon Short Line Railroad Company and Salt Lake County, covering terms of construction and maintenance of a crossing at grade, which said contract is hereby expressly referred to and made a part hereof.

NOW, THEREFORE, by reason of the premises and the

findings aforesaid, the Commission concludes that public convenience and necessity require the construction of a grade crossing over the tracks of the Oregon Short Line Railroad Company at the point shown on map accompanying the within application and more particularly described as located on Lots 7 and 12, Block 39, Ten-Acre Plat "A," Section 24, Township 1 South, Range 1 West; that the said contract dated August 2, 1935, between Oregon Short Line Railroad Company and Salt Lake County, Utah, covering terms of construction and maintenance of said grade crossing is just and reasonable and should be approved; and that the application herein should be granted.

An appropriate order will follow:

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

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

ORDER

At a Session of the PUBLIC SERVICE COMMISSION OF UTAH, held at its office in Salt Lake City, Utah, on the 5th day of May, A. D. 1936.

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.

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 County, a Political Subdivision of the State of Utah, for permission to establish a railroad crossing over the tracks of the Oregon Short Line Railroad Company at a point on First

West Street between Twenty-first and Twenty-seventh South Streets in Salt Lake County, State of Utah, said location being more particularly described as Lots 7 and 12, Block 39, Ten-Acre Plat "A," Section 24, Township 1 South, Range 1 West, be and the same is hereby granted.

ORDERED FURTHER, that the contract entered into under date of August 2, 1935, by and between the Oregon Short Line Railroad Company and Salt Lake County, covering terms of construction and maintenance of said crossing be and the same is hereby approved.

By the Commission.

(Signed) THEODORE E. THAIN,
Acting Secretary.

(Seal)

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.

Disposition: Order issued January 21, 1936, dismissing application without prejudice.

CASE NO. 1682

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

Disposition: Order issued January 20, 1936, dismissing application without prejudice.

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.

Disposition: Order issued January 20, 1936, dismissing application without prejudice.

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) in intrastate commerce between Lynndyl, Utah, and Oak City, Utah, over secondary highway not numbered.

Submitted: April 11, 1935.

Decided: September 5, 1935.

Disposition: Contract Carrier Permit No. 120 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail between Lynndyl, Utah, and Oak City, Utah, over a secondary highway not numbered.

Order issued December 17, 1935, cancelling Contract Carrier Permit No. 120.

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.

Disposition: Order issued January 21, 1936, dismissing application without prejudice.

CASE NO. 1687

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

Disposition: Order issued February 4, 1936, dismissing application 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.

Disposition: Order issued January 21, 1936, 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 Utah No. 101 and 102.

Disposition: Order issued January 20, 1936, dismissing application without prejudice.

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.

Disposition: Order issued February 4, 1936, dismissing application without prejudice.

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, Utah, and Deer Creek, American Fork Canyon, Utah, over county and Forest Service Road.

Disposition: Order issued January 21, 1936, dismissing application without prejudice.

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.

Submitted: April 20, 1935. Decided: September 3, 1935.

Disposition: Contract Carrier Permit No. 119 issued authorizing applicant to operate as a contract motor carrier of U. S. Mail between Beaver and Cove Fort, Utah, serving the intermediate point of Sulphurdale, via U. S. Highway No. 91.

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.

Disposition: Order issued January 21, 1936, dismissing application without prejudice.

CASE NO. 1704

In the Matter of the Application of PETTY AND RIDDLE, 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.

Disposition: Supplemental report and order issued September 24, 1935, authorizing applicant to serve the towns of Virgin, Rockville, and Springdale, in connection with its operations between Cedar City and Kanab, Utah, under Certificate of Convenience and Necessity No. 436 previously issued to said applicant.

CASE NO. 1705

In the Matter of the Application of GEO. T. WOODRUFF 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.

Disposition: Order issued February 4, 1936, dismissing application without prejudice.

CASE NO. 1707

In the Matter of the Application of EUGENE HARMSTOM 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.

Disposition: Order issued February 4, 1936, dismissing application without prejudice.

CASE NO. 1708

In the Matter of the Application of J. HARVEY GLINES for a permit to operate as a contract motor carrier of prop-

erty (U. S. Mail) between Tridell and Ft. Duchesne, Utah, via U. S. Highway No. 40.

Disposition: Order issued January 21, 1936, dismissing application without prejudice.

CASE NO. 1709

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

Disposition: Order issued January 20, 1936, dismissing application without prejudice.

CASE NO. 1712

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

Disposition: Order issued January 21, 1936, dismissing application without prejudice.

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. (Supplemental application to amend to include the transportation of groceries for the North Mercantile Company and Carl Greer Service Station of Charleston, Utah)

Submitted: September 6, 1935. Decided: October 24, 1935.

Disposition: Supplemental application granted authorizing applicant to transport merchandise for the North Mercantile Company and the Carl Greer Service Station of Charleston, Utah, in addition to applicant's other operations between Heber City and Provo, Utah, via Utah Highway No. 7, under Contract Carrier Permit No. 86.

CASE NO. 1721

In the Matter of the Application of STUCKI & WITTWER for a license to operate as a common motor carrier of

property in interstate commerce between Los Angeles, California, and St. George, Utah, via U. S. Highway No. 91.

Submitted: April 19, 1935.

Decided: October 8, 1935.

Disposition: Interstate Carrier License No. 92 issued authorizing Harvey Stucki and Reed Wittwer, a partnership, to operate as a common motor carrier of property in interstate commerce between St. George, Utah, and Utah-Arizona State Line, via U. S. Highway No. 91.

BEFORE THE PUBLIC SERVICE COMMISSION OF 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.

SUPPLEMENTAL REPORT AND ORDER

By the Commission:

On March 25, 1935, the Commission issued a Special Order in the above entitled matter granting the application of the State Road Commission of Utah for permission to abandon an existing grade crossing of the Provo Branch of the Los Angeles and Salt Lake Railroad Company and a grade crossing of the Alta Branch of The Denver & Rio Grande Western Railroad Company near Midvale, Salt Lake County, Utah, and the substitution therefor of an underpass crossing of said tracks. In said Special Order of March 25, 1935, the Commission granted said application, but reserved for future determination the matter of apportionment of costs covering construction and maintenance of said underpass crossing.

And it now appearing, that on December 7, 1935, a copy of a contract made and entered into under date of October 8, 1935, by and between Oregon Short Line Railroad Company, The Denver and Rio Grande Western Railroad Company and the State Road Commission of Utah covering terms and costs

of construction and maintenance of said crossing near Midvale, Utah, was filed with the Commission.

And it further appearing, that the line of railroad known as the Provo Branch of the Los Angeles and Salt Lake Railroad Company is in fact owned by the Oregon Short Line Railroad Company, and that the Commission's Special Order of March 25, 1935, should have made reference to Oregon Short Line Railroad Company instead of the Los Angeles and Salt Lake Railroad Company.

The Commission therefore finds that a contract entered into on October 8, 1935, by and between Oregon Short Line Railroad Company, The Denver & Rio Grande Western Railroad Company, and the State Road Commission of Utah is just and reasonable as between the respective parties, and should be approved; and also that the Commission's Special Order of March 25, 1935, should be amended whereby the name of Oregon Short Line Railroad Company shall be substituted for and take the place of the name of Los Angeles and Salt Lake Railroad Company wherever the latter name appears in said order.

IT IS THEREFORE ORDERED, That a contract dated October 8, 1935, made and entered into by and on behalf of Oregon Short Line Railroad Company, The Denver & Rio Grande Western Railroad Company, and State Road Commission of Utah covering costs of construction and maintenance of subway at M. P. 47.74 and rearrangement of trackage near Midvale, Utah, be, and the same is hereby, approved.

ORDERED FURTHER, That the Commission's Special Order herein dated March 25, 1935, be, and the same is hereby amended to the extent that wherever the name "Los Angeles and Salt Lake Railroad Company" appears it shall be considered to be, and be changed to read "Oregon Short Line Railroad Company."

By the Commission.

Dated at Salt Lake City Utah, this 22nd day of May, 1936.

(Signed) E. E. CORFMAN

THOMAS E. McKAY

Commissioners.

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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 Castlegate, Utah, and Utah-Colorado State Line.

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 Interstate 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 Castlegate, 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.

Submitted: June 29, 1935.

Decided: August 5, 1935.

Appearances:

L. L. Robinson, Attorney,	} for Inland Pacific Stages, Ap- plicant.
B. R. Howell, Attorney,	} for D.&R.G.W. R.R. Co., and Rio Grand Motor Way, Inc.
E. J. Hardesty,	} for Railway Express Agency.
F. M. Orem, Comptroller,	} for Salt Lake & Utah R.R. Co.
D. E. Baldwin,	} for Moab Garage Company, Protestants.

REPORT OF THE COMMISSION

By the Commission:

The above entitled matter, Case No. 1727, came on regularly for hearing at Price, Utah, on the 27th day of February, 1935, after due notice given, and continued for further hearing on the 19th day of April, 1935, at the office of the Commission in the State Capitol, Salt Lake City, Utah. On the 29th day of June, 1935, Case No. 1781 came on regularly for hearing together with a further hearing of Case No. 1727, at the office of the Commission, at which time and place it was shown and agreed and stipulated in writing on the part of the applicant, Inland Pacific Stages, and the Protestant, Rio Grande Motor Way, Inc., that the two cases, Nos. 1781 and 1727, should be merged and consolidated for the purpose of consideration and decision of the Commission, and that all testimony, records, and exhibits offered and received in both of the cases should be considered for the purpose of our passing on the issues involved. It was further represented and agreed by the parties to said stipulation that any operating rights sought for by the applicant, Inland Pacific Stages, if granted would for a good and sufficient consideration be acquired and taken over by the Protestant, Rio Grande Motor Way, Inc., and therefore any Certificate issued or operating rights granted by us, should be to and in the name of the Rio Grande Motor Way, Inc.

From the testimony given in these cases, and from their records and files, all of which is hereby referred to and made a part hereof, the Commission now finds and reports as follows:

(1) That the applicant, Inland Pacific Stages, is a corporation organized and existing under the laws of the State of Utah.

(2) That the Rio Grande Motor Way, Inc. is a corporation organized and existing under the laws of the State of Colorado, and is duly authorized as a foreign corporation to do business in the State of Utah.

(3) That the said Inland Pacific Stages is now and has for several years last past been operating under authority duly granted by the Public Utilities Commission of Utah by Certificate of Public Convenience and Necessity No. 402, an automobile passenger and express line between Salt Lake City and Price, Utah, and intermediate points, excluding local service between Salt Lake City and Spanish Fork, Utah, and be-

tween Castlegate and Price, Utah; that heretofore by authority duly granted by the said Public Utilities Commission of Utah, the said Inland Pacific Stages has been and is now under License No. 71 operating a motor passenger and express line in interstate commerce between Salt Lake City, Utah, and the Utah-Colorado State Line over U. S. Highway No. 50, and U. S. Highway No. 91; that the Inland Pacific Stages now desires to discontinue its operating rights and transportation service over and upon said highways, and the said Rio Grande Motor Way, Inc. desires to take over and continue the same, in accordance with the stipulation and agreement hereinbefore mentioned and referred to.

(4) That the said Rio Grande Motor Way, Inc., is now operating an automobile passenger bus line, over Utah highways between Salt Lake City and Marysvale, Utah, and a freight truck line between Salt Lake City and Price, Utah, and it also operates a passenger bus line from Grand Junction to Durango, Colorado, and from Durango to the Mesa Verde National Park in Colorado, and from Durango, Colorado, to Farmington, New Mexico, from Salida to Alamosa, Colorado, and also other bus lines in the State of Colorado; that it is an experienced and dependable motor bus and freight and express carrier, and financially able to render the service to the shipping and traveling public herein sought for over the public highways of the State of Utah; that the Utah Highways involved are, for the most part, not overburdened with traffic.

From the foregoing findings, and from the records and files in these cases, all of which is made a part hereof, we conclude that public convenience and necessity demand automobile passenger and express service over the said highways as hereinafter granted; that the Inland Pacific Stages should be permitted to discontinue its operations under Certificate of Convenience and Necessity No. 402, and under License No. 71 (formerly No. 32); that said Certificate No. 402 and License No. 71 should both be cancelled and annulled, and that a new Certificate of Convenience and Necessity covering the service authorized under said Certificate No. 402, and an Interstate License covering the service authorized under said License No. 71 (formerly No. 32) should be issued to the said Rio Grande Motor Way, Inc., with the same restrictions with respect to intermediate service between points, with this exception, the Rio Grande Motor Way, Inc., should be permitted to render passenger and express service locally over Highway No. 50 between Springville, Utah, and the Utah-Colorado

State Line, provided its carrying of express between said points shall be restricted to that which may be carried on its regular passenger buses without inconvenience and discomfort to its passengers.

An appropriate order will follow.

(Signed) E. E. CORFMAN

THOMAS E. McKAY

JOS. S. SNOW

Commissioners.

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

ORDER

At a Session of the PUBLIC SERVICE COMMISSION OF UTAH, held at its office in Salt Lake City, Utah, on the 5th day of August, 1935.

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 Castlegate, Utah, and Utah-Colorado State Line.

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 Interstate 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 Castlegate, 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.

CANCELLING CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 402.

CANCELLING INTERSTATE CARRIER LICENSE NO. 71.

ISSUING CERTIFICATE OF CONVENIENCE AND NECESSITY NO 444.

ISSUING INTERSTATE CARRIER LICENSE NO. 88.

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 and conclusions, which said report is hereby referred to and made a part hereof,

IT IS ORDERED, that 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 Interstate License No. 71 (formerly 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 Castlegate, 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 Case No. 1727, all to said Rio Grande Motor Way, Inc., be, and the same is hereby granted.

ORDERED FURTHER, that Inland Pacific Stages be, and it is hereby authorized to discontinue operating as a common motor carrier of passengers between Salt Lake City and

Price, Utah, and that Certificate of Convenience and Necessity No. 402 issued by the Commission in Case No. 1302 be, and the same is hereby cancelled and annulled.

ORDERED FURTHER, that applicant, Inland Pacific Stages, be, and it is hereby authorized to discontinue operating as a common motor carrier of passengers and express in interstate commerce between Salt Lake City and the Utah-Colorado State Line, and that Interstate Carrier License No. 71 issued in Case No. 1714, be, and the same is hereby cancelled and annulled.

ORDERED FURTHER, that applicant, Rio Grande Motor Way, Inc., be, and it is hereby authorized to operate as a common motor carrier of passengers and express in intrastate commerce between Salt Lake City, and the Utah-Colorado State Line, over and upon Highways No. U. S. 91 and U. S. 50, excluding local service between Salt Lake City and Springville, but including local service between Springville and the Utah-Colorado State Line; provided that said Rio Grande Motor Way, Inc., may pick up passengers at points between Salt Lake City and Springville when destined to points beyond Springville to and including the Utah-Colorado State Line, and vice versa; and provided further that the carrying of express by said Rio Grande Motor Way, Inc., between Springville, Utah, and the Utah-Colorado State Line shall be restricted to that which may be carried on its regular passenger buses without inconvenience and discomfort to its passengers.

ORDERED FURTHER, that applicant, Rio Grande Motor Way, Inc., is hereby authorized to operate as a common motor carrier of passengers and express in interstate commerce between Salt Lake City, Utah, and the Utah-Colorado State Line, over Highways Nos. U. S. 91 and U. S. 50.

ORDERED FURTHER, that this Order shall become effective at 12:01 o'clock a. m. on August 7, 1935.

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 Service 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) THEODORE E. THAIN

Acting Secretary.

(Seal)

CASE NO. 1731

In the Matter of the Application of RULON TAYLOR for a permit to operate as a contract motor carrier of property including U. S. Mail between New Harmony, Utah and Kanarraville, Utah, via U. S. Highway No. 91 and county roads.

Disposition: Order issued February 4, 1936, dismissing application without prejudice.

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 the Utah-Wyoming, Utah-Arizona, and Utah-Nevada State Lines, via Highways numbered US-530, 30-S, 40, 50, and 91.

Disposition: Order issued August 9, 1935, cancelling Interstate Carrier License No. 74 issued to Owen Transportation Company on March 14, 1935.

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. (Supplemental application to amend to extend route to Tooele, Utah.)

Disposition: Order issued September 9, 1935, dismissing supplemental application to extend interstate operations to Tooele, Utah.

Order issued February 25, 1936, cancelling Interstate Carrier License No. 76 issued to Alfred L. Hahn on April 1, 1935.

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 and points in Idaho, via U. S. Highways 30-S and U. S. 91.

Disposition: Order issued March 2, 1936, dismissing application without prejudice.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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.

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.

CASE NO. 1749

In the Matter of the Application of FULLER-TOPONCE TRUCK COMPANY, for 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 CO., a Corporation.

Submitted: April 24, 1935.

Decided: August 12, 1935.

Appearances:

Geo. H. Lowe, Attorney, } for Applicant.

W. Hal. Farr, Attorney, } for Union Pacific System.

J. A. Howell, Attorney, } for Utah-Idaho Central R. R. Co.

REPORT OF THE COMMISSION

By the Commission:

The above-entitled applications were filed with the Commission, (P. U. C. U.) on April 2, 1935. Said matters came on

regularly for hearing before the Commission at its office in Salt Lake City, Utah, on April 24, 1935, after due and legal notice given to interested parties. Proof of publication of Notice of Hearing in Case No. 1747 was filed, and accepted as part of the record. It was agreed and stipulated that the three cases might be combined for hearing and consideration by the Commission.

From the testimony introduced on behalf of the respective parties, and the record and files in these cases, the Commission finds:

That the Fuller-Toponce Truck Company is a corporation organized and existing under and by virtue of the laws of the State of Utah with its principal place of business at Ogden, Weber County, Utah. A Certified Copy of the Articles of Incorporation of applicant is on file with the Commission. Said articles of incorporation show an authorized capital of the corporation of \$50,000.00, divided into five thousand shares with a par value of \$10.00. Of the authorized capital stock, 2,000 shares have been subscribed for.

The present applicant, Fuller-Toponce Truck Company, a corporation, is the successor in interest to the Fuller and Toponce Truck Company, a partnership, composed of P. W. Fuller and R. C. Toponce, which heretofore has operated as a common and contract motor carrier of property over certain highways of the State of Utah.

Operating rights, and routes of the Fuller and Toponce Truck Company, a partnership, are as follows:

Under authority of Certificate of Convenience and Necessity No. 408, issued by this Commission on November 7, 1933, in Case No. 1319, the partnership operates as a common motor carrier of property in intrastate commerce from Salt Lake City to the Idaho State Line on U. S. Highway No. 91, Utah 41, and U. S. 30-S, excluding local service between Salt Lake City and Brigham, Utah.

Under authority of Contract Carrier Permit No. 81, issued by the Commission on November 9, 1934, in case No. 1321 (on re-hearing) said partnership operates as a contract motor carrier of property in intrastate commerce between Salt Lake City and the Utah-Idaho State Line via U. S. Highway No. 91 for the Cudahy Packing Company; for the Safeway Stores, Inc., over the same route, but excluding intermediate service between Salt Lake City and Ogden; and for the American Packing and Provision Company between Ogden and the Utah-Idaho State Line, and intermediate points over the

same route including Hyrum and Lewiston on State Highways Nos. 101 and 61. Said partnership also operates as a common motor carrier of property in interstate commerce between Salt Lake City and the Utah-Idaho State Line enroute to and from Idaho points, over and upon Highways Nos. U. S. 91, U. S. 30-S, and Utah State Highway No. 41 under authority of Interstate Carrier License No. 19 issued on November 7, 1933, in Case No. 1322.

In the present cases, the Fuller-Toponce Truck Company, a corporation, seeks a transfer of all operating rights heretofore held by the Fuller and Toponce Truck Company, a partnership. The present applicant does not seek any additional rights to those heretofore held and exercised by the partnership. It was agreed and stipulated by Counsel that the testimony introduced in the cases in which the partnership was granted operating rights might be considered as part of the evidence in the present cases.

The testimony shows that approximately the same conditions exist in the territory and over the routes under consideration, and that patrons of the lines operated by the partnership desire that the service be continued. There have been no complaints registered on the part of patrons concerning the service heretofore rendered by the partnership.

Protestant, The Utah-Idaho Central Railroad Company alleges that Fuller and Toponce Truck Company, a partnership, has violated the law under which its permit and license were granted, in two particulars:

(1) By the system of procuring a number of temporary permits in advance, good for a number of trips in advance for one or more shippers;

(2) By the practice of Fuller & Toponce Truck Company, a partnership, in accepting for carriage interstate shipments of freight destined to points in Cache Valley over which route the partnership does not hold a Certificate of Convenience and Necessity authorizing it to operate intrastate as a common motor carrier.

In connection with the first alleged violation of law above mentioned, the partnership has at numerous times secured temporary permits from the Commission authorizing it to haul property for parties not covered under its contract permit. As a matter of convenience, the Commission has, at times, issued a series of permits on one permit blank, each permit being good for a single or round trip at some specified future date. The practice of the Commission in issuing permits of this na-

ture originated at the time the United States Government was purchasing drouth relief cattle, and at which time the Commission deemed an emergency to exist. In order to expedite the movement of these cattle, the Commission issued many series of temporary permits to various operators for the transportation of these cattle over the public highways at future dates. It is protestant's contention that the issuance of temporary permits in this manner is tantamount to the issuance of a contract permit, or a certificate of convenience and necessity, and is in violation of Section 13, Chapter 53, Laws of Utah, 1933. Protestants therefore claim that the Fuller and Toponce Truck Company, a partnership, secured numerous temporary permits in violation of law, and that said alleged violation of the law constitutes sufficient grounds upon which this Commission might deny the present applications.

We think Protestant's contention in this matter is untenable. If, as a matter of fact, certain permits were issued, in so far as form and manner is concerned, in violation of the law, the responsibility would seem to lie with the Commission, and not with the carrier receiving the permits. We find that the Fuller and Toponce Truck Company, a partnership, acted in good faith in this matter, and with full intention to comply with the provision of the law, and the rules and regulations of this Commission.

Coming now to the second alleged violation of the law as claimed by Protesting carrier, it is sufficient to say that under a ruling from the Attorney General of this State, the Fuller and Toponce Truck Company, a partnership, has a legal right to handle interstate shipments of property consigned to points on its line in Cache Valley. The Attorney General of this State is legal advisor to this Commission, to whom the Commission submits all questions requiring legal investigation and determination. When the Attorney General has rendered his opinion on a matter submitted to him by the Commission, the Commission feels it should abide by his decision, unless and until a Court of competent jurisdiction has otherwise ruled.

The Commission finds, therefore, that the Fuller and Toponce Truck Company, a partnership, has conducted its operations over the highways of the State of Utah in a legal manner, and in compliance with the restrictions imposed under the Certificate, Permit, and License, respectively held by it. The Commission finds further, that public convenience and necessity require a continuance of the service heretofore rendered by said partnership, and concludes that the present applica-

tions should be granted, subject to the same restrictions and privileges heretofore granted to the Fuller and Toponce Truck Company, a partnership.

An appropriate order will follow.

(Signed) E. E. CORFMAN
THOMAS E. McKAY
JOS. S. SNOW
Commissioners.

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

ORDER

At a Session of the PUBLIC SERVICE COMMISSION OF UTAH held at its office in Salt Lake City, Utah, on the 12th day of August, A. D. 1935.

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.

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.

CASE NO. 1749

In the Matter of the Application of FULLER-TOPONCE TRUCK COMPANY, for transfer of License No. 19 from P. W. Fuller and R. C. Toponce operating under the name and style of FULLER and TOPONCE TRUCK COMPANY, a Partnership, to FULLER-TOPONCE TRUCK CO., a Corporation.

CANCELLING CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 408.

CANCELLING CONTRACT CARRIER PERMIT NO. 81.

CANCELLING INTERSTATE CARRIER LICENSE NO. 19.

ISSUING CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 446.

ISSUING CONTRACT CARRIER PERMIT NO. 117.

ISSUING INTERSTATE CARRIER LICENSE NO. 89.

These cases being at issue upon applications 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 of Fuller-Toponce Truck Company, a corporation (Case No. 1747) for transfer and assignment of a Certificate of Convenience and Necessity, be, and the same is hereby granted, subject to the same privileges and restrictions attached to the Certificate of Convenience and Necessity held by Fuller and Toponce Truck Company, a partnership; that is to say, that applicant shall operate as a common motor carrier of property in intrastate commerce serving points between Salt Lake City and the Utah-Idaho State Line via U. S. Highways Nos. 91, 30-S, and Utah 41, (Bear River Valley Route) excluding local service between Salt Lake City and Brigham, Utah, under authority of Certificate of Convenience and Necessity No. 446, herein issued.

ORDERED FURTHER, that the application of Fuller-Toponce Truck Company, a corporation (Case No. 1748) for transfer and assignment of permit to operate as a contract motor carrier of property in intrastate commerce, be, and the same is hereby granted, subject to the same privileges and restrictions attached to the permit held by Fuller and Toponce Truck Company, a partnership; that is to say that applicant shall operate as a contract motor carrier of property between Salt Lake City and the Utah-Idaho State Line serving all intermediate points, via U. S. Highway No. 91 for the Cudahy Packing Company; for the Safeway Stores, Inc., over the same route, but excluding intermediate service between Salt Lake City and Ogden; and for the American Packing and Provision Company between Ogden and the Utah-Idaho State Line, serving all intermediate points, over and upon the same route and highway, and including Hyrum and Lewiston on State Highways Nos. 101 and 61, respectively, under authority of Contract Carrier Permit No. 117 herein issued.

ORDERED FURTHER, that the application of FULLER-TOPONCE Truck Company, a corporation, (Case 1749) for transfer of license No. 19 from P. W. Fuller and R. C. Toponce, operating under the name and style of Fuller and Toponce Truck Company, a Corporation, be, and the same is hereby granted; that applicant shall operate as a common motor carrier of property in interstate commerce between Salt Lake City and the Utah-Idaho State Line enroute to and from Idaho points, over and upon Highways Nos. U. S. 91, U. S. 30-S, and Utah State Highway No. 41, via either the Bear River Valley route, or the Cache Valley route, under authority of Interstate Carrier License No. 89 issued herein.

ORDERED FURTHER, that Certificate of Convenience and Necessity No. 408 issued in Case No. 1319, to Fuller and Toponce Truck Company, a partnership, under date of November 7, 1933, be, and the same is hereby cancelled and annulled.

ORDERED FURTHER, that Contract Carrier Permit No. 81, issued in Case No. 1321 (on re-hearing) to Fuller and Toponce Truck Company, a partnership, on November 9, 1934, be, and the same is hereby cancelled and annulled.

ORDERED FURTHER, that Interstate Carrier License No. 19, issued in Case No. 1322 to Fuller and Toponce Truck Company, a partnership, on November 7, 1933, be, and the same is hereby cancelled and annulled.

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 Service Commission of Utah governing the operation of common and contract motor carriers over the public highways of the State of Utah, and this order shall be, and is its authority therefor.

By the Commission.

(Seal)

(Signed) THEODORE E. THAIN,

Acting Secretary.

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, 50.

Submitted: June 6, 1935.

Decided: March 2, 1936.

Disposition: Interstate Carrier License No. 102 issued authorizing applicant to operate as a common motor carrier of property in interstate commerce between the Utah-Idaho State Line and the Utah-Nevada State Line, via Highways Nos. U. S. 30-S, U-41, U. S. 91, and U. S. 40-50.

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 operating 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.

Submitted: April 22, 1935.

Decided: July 31, 1935.

Disposition: Report and order issued authorizing E. H. Curry, d/b/a Midland Stages, to discontinue operating as a common motor carrier of passengers over U. S. Highway No. 40 between Salt Lake City, Utah, and the Utah-Nevada State Line, and authorizing United Stages System, Inc. to commence operating as a common motor carrier of passengers in interstate commerce over U. S. Highway No. 40 between Salt Lake City, Utah and the Utah-Nevada State Line under authority of Interstate Carrier License No. 86. Interstate Carrier License No. 1 issued on July 27, 1933, to E. H. Curry, d/b/a Midland Stages cancelled.

Order issued March 18, 1936, cancelling Interstate Carrier License No. 86 issued to United Stages System, Inc. on July 31, 1935.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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, and Coalville, Utah, via Highways 30-S and 91.

Submitted: May 6, 1935.

Decided: July 13, 1935.

Appearances:

Leslie S. Dunn, } for Himself.

J. A. Howell, Attorney, } for The U. I. C. R. R. Co.

B. R. Howell, Attorney, } for The D. & R. G. W. and Rio
} Grande Motorway, Inc.

REPORT OF THE COMMISSION

By the Commission:

An application was filed with the Commission (P. U. C. U.) on April 9, 1935 by Leslie S. Dunn for a permit to operate as a contract motor carrier of property in intrastate commerce. This matter came on regularly for hearing before the Commission at its office in Salt Lake City, Utah, on May 6, 1935 after due and legal notice given to interested parties.

From the evidence introduced on behalf of applicant and other interested parties, the Commission finds:

That applicant, Leslie S. Dunn, doing business under the name of Farmers Feed and Petroleum Company, is a resident of Logan, Utah and desires a permit authorizing him to operate as a contract motor carrier of property in intrastate commerce between Logan and Draper, Utah, via U. S. 91, and between Logan and Coalville, Utah, via U. S. 91 and 30-S. Applicant proposes to haul eggs from Logan to Draper, Utah for members of the Utah Poultry Producers Cooperative Association, and plumbing fixtures from Salt Lake City to Logan on the return trip for Peter J. Peterson, a plumber at Logan. In addition to the proposed operations between Logan and Draper, applicant seeks authority herein to transport cement from Devils Slide to Logan for the Smith Brothers Lumber Company of Logan. Applicant also contemplates buying coal at Coalville to be hauled to Logan for resale. Applicant's proposed schedule is two or three trips a week.

Applicant filed a financial statement in connection with his application which shows a truck valued at \$850, real estate, \$3,500, cash, \$180, other assets, \$682, making total assets of \$5,212; liabilities consisting of indebtedness on equipment, \$550, notes and mortgages payable, \$934, accounts payable, \$150, making total liabilities of \$1,634; leaving net assets of \$3,578.

The schedule of equipment of applicant shows a 1933 model G. M. C. four-ton truck purchased on March 1, 1935, at a cost of \$850.

The record shows that applicant has no written contracts with any of the parties whom he proposes to haul for. There are between 15 and 25 egg producers at Logan for whom he wishes to haul eggs. Applicant is in the poultry feed business at Logan, buying grain at Logan for resale in Salt Lake City and Draper. The transportation of eggs and the other services herein proposed will be handled in connection with his feed business.

At present the following transportation facilities are available to the public between Logan and Salt Lake City:

The Utah Idaho Central Railroad Company, rendering daily freight and express service between Logan and Ogden, where a connection is made with the Bamberger Electric Railroad, which also renders frequent daily freight and express service between Ogden and Salt Lake City.

The Oregon Short Line Railroad which furnishes daily freight and express service between Logan and Salt Lake City.

The Denver & Rio Grande Western Railroad rendering daily freight service from Ogden to Salt Lake City, and other points south and east.

The Railway Express Agency, which operates in conjunction with the above named railroads in handling express matter.

Service from Devils Slide to Logan is available, via the Union Pacific Railroad Company to Ogden, thence via the U. I. C. or O. S. L. to Logan.

From the record before us, we find no evidence to show that public convenience and necessity require the service proposed by applicant for the transportation of cement from Devils Slide to Logan or for the hauling of plumbing fixtures from Salt Lake City to Logan, but that public convenience and

necessity will be subserved if applicant is permitted to haul eggs from Logan to Draper.

The conclusion is reached, therefore, that the application herein for a contract permit to haul eggs from Logan to Draper, Utah, for the Utah Poultry Producers Cooperative Association should be granted, but that the application to haul cement from Devils Slide to Logan for Smith Brothers Lumber Company and plumbing fixtures from Salt Lake City to Logan for Peter J. Peterson should be denied.

Concerning applicant's desire to haul coal from Coalville to Logan for resale after applicant has purchased the coal at the mine in Coalville, the Commission assumes no jurisdiction. If this operation is conducted as testified to by applicant, it cannot be construed as an operation for hire and therefore is beyond this Commission's jurisdiction.

ORDER

CONTRACT CARRIER PERMIT NO. 113

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 and conclusions, which said report is hereby referred to and made a part hereof,

IT IS ORDERED, That the application herein of Leslie S. Dunn for a permit to operate as a contract motor carrier of eggs from Logan, Utah to Draper, Utah for the Utah Poultry Producers Cooperative Association, via Highway 91, be, and it is hereby granted.

ORDERED FURTHER, That the application herein of Leslie S. Dunn for a permit to operate as a contract motor carrier of cement for Smith Brothers Lumber Company from Devils Slide to Logan, Utah and for the transportation of plumbing fixtures for Peter J. Peterson from Salt Lake City to Logan, via Highways 91 and 30-S, be, and the same is hereby denied.

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

(Signed) E. E. CORFMAN
THOMAS E. McKAY
JOS. S. SNOW
Commissioners.

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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, and Coalville, Utah, via Highways 30-S and 91.

DISMISSAL ORDER

By the Commission:

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

IT IS ORDERED that 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, and Coalville, Utah, via highways 30-S and 91 be, and the same is hereby dismissed without prejudice.

ORDERED FURTHER, that Contract Carrier Permit No. 113 issued in the above entitled case under date of July 13, 1935, be, and it is hereby cancelled and annulled.

Dated at Salt Lake City, Utah, this 9th day of August, 1935.

(Signed) E. E. CORFMAN
THOMAS E. McKAY
JOS. S. SNOW
Commissioners.

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting 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.

Submitted: May 6, 1935.

Decided: September 19, 1935.

Disposition: Contract Carrier Permit No. 121 issued authorizing applicant to operate as a contract motor carrier of property in intrastate commerce, for the Cedar, Ely, and Logan Distributing Companies, from Salt Lake City to the warehouse of said companies at Cedar City, Utah and Logan, Utah, via U. S. 91, and,

Interstate Carrier License No. 96 issued authorizing applicant to operate as a contract motor carrier of property in interstate commerce, for the Cedar, Ely, and Logan Distributing Companies between Salt Lake City, Utah and the Utah-Nevada State Line, via Highways Nos. U. S. 40-50.

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.

Disposition: Order issued September 3, 1935 dismissing application without prejudice.

CASE NO. 1758

MIDVALE CITY, a Municipal Corporation, et al., Complainants, vs. THE DENVER & RIO GRANDE WESTERN RAILROAD COMPANY, Defendant.

(PENDING)

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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.

Submitted: May 23, 1935.

Decided: Oct. 24, 1935

Appearances:

J. A. Gallaher, } for Applicants, The Denver & Rio Grande
Geo. Williams, } Western Railroad Company, et al.

J. H. Bean, } for Union Pacific System.

A. E. Margetts, } for United States Smelting and Refining
Company et al.

REPORT OF THE COMMISSION

By the Commission:

On the 19th day of April, 1935, The Denver and Rio Grande Western Railroad Company, Los Angeles and Salt Lake Railroad Company and Oregon Short Line Railroad Company on their own behalf and on the behalf of Salt Lake and Utah Railroad Company and Tooele Valley Railway Company, as common carriers of persons and property by railroads between points in the State of Utah, petitioned for an Order of this Commission approving their method of assessing freight

charges applying on ore, concentrates, matte, precipitates, slag, and flue dust as published in Local Utah Freight Tariff No. 6-D, P. U. C. U. No. 7, I. C. C. No. 7, effective September 1, 1923, and in amendments to said tariffs. They allege in this petition that Local Utah Freight Tariff No. 6-C, P. U. C. U. No. 5, I. C. C. No. 5, issued by J. H. Reeves, Agent, Salt Lake City, Utah, May 25, 1921, effective July 4, 1921, naming local and joint rates applying on ore commodities, matte, precipitates, slag, and flue dust, under items 100 to 130, and in amendments to said tariff were published on said commodities subject to a declared valuation of \$100.00 per ton weight which tariff was cancelled and superseded by said tariff No. 6-D, P. U. C. U. No. 7, I. C. C. No. 7, which tariff and the amendments thereto, provided that shipments of said commodities should be subject to a net valuation of not to exceed \$100.00 per ton, but through oversight and inadvertance was not filed with the Public Utilities Commission (Public Service Commission of Utah) for the approval now sought for by their petition herein.

As grounds for and in support of their petition, petitioners allege:

“(a) That all of their rates on said commodities are published to apply on net valuation.

(b) That no necessity exists and no public interest would be served by the publication of rates on said commodities subject to a declared valuation by the shipper.

(c) That petitioners are in a position to obtain and do obtain from the smelting companies the actual value of ore and concentrate shipments; and that where rates are subject to valuation, no basis other than the actual net valuation should be used.

(d) That in various decisions of the Interstate Commerce Commission it has been held that carriers are not prohibited from making different rates dependant upon the value of different grades of a given commodity.

In Re The Cummins Amendment, 33 I.C.C. 682, 696.
Express Rates, Practices, Accounts and Revenues, 43
I.C.C. 510.

Bills of Lading, 52 I.C.C. 671.
Arlington Silver Mining Co. v. Great Northern, 83
I.C.C. 255.

REPORT OF PUBLIC SERVICE COMMISSION

Crown Overall Mfg. Co. v. Director General, 100 I.C.C.
471, 475.

(e) That there has been no complaint from shippers respecting the change of method of figuring freight charges which became effective by the publication of said Tariff 6-D, P.U.C. Utah No. 7, I.C.C. No. 7, though said tariff has been in effect since September 1, 1923; and, as previously stated, petitioners' rates have, since said date, been assessed on a net valuation basis not to exceed \$100.00 per ton."

For the most part the allegations of the petition were excepted to by The United States Smelting, Refining and Mining Company at a hearing held upon the petition before the Commission after due notice given, at its office in the State Capitol, Salt Lake City, Utah, on the 23rd day of May, 1935.

However, the said Company stated in substance that it would have no objection to our approval of Petitioners' Tariff 6-D, P.U.C.U. No. 7, provided that our doing so should not affect shipments and adjustments of charges heretofore made between the carriers and their patrons.

Having given careful consideration to all the material facts presented, and believing that the freight charges on the commodities involved can be more fairly and equitably assessed against the shipper by the method proposed by the petitioners herein, that is to say, upon the actual value rather than upon a "released" or "declared" value of the commodity moved, we think petitioners' Local Utah Freight Tariff No. 6-D; P.U.C.U. No. 7, should be and the same is hereby approved to become effective at the date hereof.

(Signed) E. E. CORFMAN

THOMAS E. McKAY

JOS. S. SNOW

Commissioners.

Attest:

(Seal)

(Signed) THEODORE E. THAIN, Acting Secretary.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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.

Submitted: July 11, 1935.

Decided: September 9, 1935.

Appearances:

Robert B. Porter, and
W. Hal Farr, Attorneys, } for Applicant.

Lewis Jones, } for Boxelder County, Boxelder
Chamber of Commerce, Lions
Clubs of Tremonton and Garland,
and interested citizens.

REPORT OF THE COMMISSION

McKay, Commissioner:

The above entitled application was filed with the Commission on April 26, 1935. Said matter came on regularly for hearing before the Commission at Dewey, Boxelder County, Utah, on July 11, 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 testimony introduced, the Commission finds:

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 principal place of business in Utah and corporate office at Salt Lake City, Utah, and that it is a common carrier of freight and passengers and engaged in operating a steam line of railroad in interstate and intrastate commerce within and through the State of Utah and other states.

That applicant is now, and has been for several years past, operating an agency station at Dewey, Box Elder County, Utah, where at all times an agent has been employed for the purpose of transacting the business of applicant at said station.

That applicant now alleges that the revenue derived from business handled at said station is not sufficient to pay the

expense of maintaining and operating said station as an agency station and seeks authority herein for permission to discontinue the operation of its station at Dewey, Utah, as an agency station.

Applicant's Exhibit No. 1 shows the tonnage of freight forwarded from and received at Dewey, Utah, and the revenue derived therefrom for the years 1933 and 1934 and from January to May, 1935, inclusive. This exhibit shows the following figures:

	Year 1933		Year 1934		Year 1935	
	Cars	Tons	Cars	Tons	Cars	Tons
Carloads Forwarded ..	11	117	24	252	17	179
Carloads Received ...	23	239	18	241	4	53
L. C. L. Forwarded....		2		2		
L. C. L. Received.....		2		6		1
Totals	34	360	42	501	21	233
Revenue Accruals.....	\$1,999.00		\$3,022.00		\$2,050.00	

Applicant's Exhibit No. 2 shows the number of passenger tickets sold at Dewey, Utah, and the revenue accruing therefrom for the years 1933 and 1934, and from January to May, 1935, inclusive. The figures are as follows:

	Tickets Sold	Revenue Accruals
Year, 1933	128	\$499.71
Year, 1934	118	331.11
January to May, 1935.....	45	85.03

Applicant's Exhibit No. 3 shows miscellaneous revenues derived from the operation of its Dewey, Utah station for the years 1933 and 1934 and the period January to May, 1935, inclusive. These revenues consist mainly of excess baggage and telegraph service. The figures are as follows:

Year 1933	\$23.94
Year 1934	4.37
January to May, 1935.....	1.25

A summary of revenue accruals shows:

	Year 1933	Year 1934	January to May, 1935
Freight, C. L. and L. C. L....	\$1,999.00	\$3,022.00	\$2,050.00
Passenger	499.71	331.11	85.03
Miscellaneous	23.94	4.37	1.25
Totals	\$2,522.65	\$3,357.48	\$2,136.28

Applicant's Exhibit No. 4 shows the expenses of operating the station at Dewey, Utah for the years 1933, 1934, and the period January to May, 1935, inclusive. The figures are shown below and are exclusive of superintendence, maintenance, depreciation, insurance, taxes, and stationery:

Year 1933	\$1,694.94
Year 1934	1,595.31
January to May, 1935.....	717.88

The community of Dewey in Boxelder County is situated approximately five miles north of Honeyville, at which point applicant maintains an agency station. The territory in and around Dewey is dependent primarily upon agricultural pursuits for the livelihood of the people residing in said territory. A short distance from the station of applicant at Dewey is situated a depot of The Utah-Idaho Central Railroad Company, at which depot an agent is maintained by The Utah-Idaho Central Railroad Company.

If the present application is granted, applicant proposes to make arrangements for the handling of carload freight received at and out of Dewey through the agents of the applicant at Tremonton and Honeyville. Express matter or L. C. L. freight shipped to Dewey will be locked in the depot by the conductor and applicant will have a responsible person furnished with a key so that the consignee may obtain the shipment through the person having the key to the depot.

Persons desiring to purchase passenger tickets at this station may do so from the conductor on the train at the same price as would be charged by the station agent.

NOW THEREFORE, by reason of the findings aforesaid and the record and files in this case, all of which are hereby expressly referred to and made a part hereof, the Commission finds that public convenience and necessity no longer require the operation of applicant's station at Dewey, Boxelder County, Utah, as an agency station and that the expense of maintaining and operating said station as an agency station is too high to justify the operation of said station as an agency station, and that the application should be granted. The Commission is of the opinion, however, that in the event the business of applicant at Dewey, Boxelder County, increases to a point sufficient to justify the operation of the station as an agency station that applicant should provide an agent at said station

for such period and during such time as the increased business might justify.

An appropriate order will follow.

(Signed) THOMAS E. McKAY,

We Concur:

E. E. CORFMAN

JOS. S. SNOW

Commissioners.

(Seal)

Attest:

THEODORE E. THAIN, Acting Secretary.

ORDER

At a Session of the PUBLIC SERVICE COMMISSION OF UTAH, held at its office in Salt Lake City, Utah, on the 9th day of September, 1935.

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.

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 Oregon Short Line Railroad Company, a corporation, for permission to discontinue the operation of its station at Dewey, Boxelder County, Utah, as an agency station, be, and the same is hereby granted.

ORDERED FURTHER, that in the event the business of applicant at Dewey, Boxelder County, Utah, increases to a point sufficient to justify the operation of said station as an agency station that applicant shall provide an agent at said

station for such period and during such time as the increased business might justify.

ORDERED FURTHER, that applicant shall provide suitable arrangements to take care of carload and L. C. L. shipments originating at or consigned to the station at Dewey, Utah.

By the Commission.

(Signed) THEODORE E. THAIN, Acting Secretary.

(Seal)

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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.

SUPPLEMENTAL REPORT AND ORDER

By the Commission:

The Commission issued its Report and Order in the above entitled matter on September 9, 1935, granting the application of the Oregon Short Line Railroad Company, a corporation, for permission to discontinue the operation of its station at Dewey, Boxelder County, Utah, as an agency station.

And it now appearing that the Commission failed to fix an effective date upon which applicant might discontinue operation of its station at Dewey, Utah, as an agency station; and it appearing further, that it will not be adverse to the interests of applicant's patrons and others affected thereby if said station is closed immediately,

IT IS THEREFORE ORDERED, that the Commission's Order of September 9, 1935, be modified to the extent that applicant, Oregon Short Line Railroad Company, a corporation,

may close its station at Dewey, Boxelder County, Utah as an agency station effective September 14, 1935.

Dated at Salt Lake City, Utah, this 13th day of September, 1935.

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

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

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, 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.

Disposition: Order issued October 1, 1935 dismissing application without prejudice.

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.

Disposition: Grade Crossing Permit No. 175 issued October 30, 1935 authorizing applicant to construct and maintain a grade crossing over the Silver City Branch of the Los Angeles and Salt Lake Railroad Company at Railroad Mile-post 2.05 in the vicinity of Silver City, Juab County, Utah.

CASE NO. 1765

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to establish a grade

crossing of State Highway No. 26 over the Tintie Branch of The Denver and Rio Grande Western Railroad Company near Silver City in Juab County, Utah.

Submitted: June 19, 1935.

Decided: September 23, 1935.

Disposition: Report and order issued authorizing applicant to establish a grade crossing of State Highway No. 26 over the Tintie Branch of The Denver and Rio Grande Western Railroad Company near Silver City, Juab County, Utah.

CASE NO. 1766

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for the relocation of a grade crossing and the abandonment of existing 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.

Disposition: Grade Crossing Permit No. 176 issued October 30, 1935 authorizing applicant to construct and maintain a grade crossing over the main line and passing tracks of the Los Angeles and Salt Lake Railroad Company in the vicinity of St. John, Tooele County, Utah, at Railroad Mile-post 736.06.

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.

Disposition: Order issued January 21, 1936 dismissing application without prejudice.

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, Hineckley, Desert, Oak City, and Oasis, Utah.

Submitted: June 3, 1935.

Decided: August 8, 1935.

Disposition: Certificate of Convenience and Necessity No. 441 issued authorizing applicant to operate as a common motor carrier of property between Salt Lake City and Delta, Hineck-

ley, Deseret, Oak City, and Oasis, Utah via U. S. Highway No. 91 from Salt Lake City to Santaquin, Utah, and from that point either by way of U. S. 91 to Holden, thence Utah 26 to Delta and other points; or from Santaquin to Eureka, via Utah 26, thence to Delta, and the other points to be served via the same highway.

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.

Submitted: June 3, 1935.

Decided: August 9, 1935.

Disposition: Certificate of Convenience and Necessity No. 442 issued authorizing applicant to operate as a common motor carrier of property between Salt Lake City and Fillmore, Utah, serving the intermediate towns of Levan, Scipio, and Holden, via U. S. Highway No. 91.

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. (Supplemental application to extend operations to Kanosh, Utah, and to intermediate points between Fillmore and Kanosh, Utah.)

Submitted: January 3, 1936.

Decided: May 4, 1936.

Disposition: Supplemental application denied.

CASE NO. 1771

In the Matter of the Application of PETTY AND RIDDLE, INC. for a permit to operate as a contract motor carrier of property in intrastate commerce between Cedar City and Pintura, Utah, via U. S. Highway No. 91.

Submitted: May 31, 1935.

Decided: July 10, 1935.

Disposition: Contract Carrier Permit No. 112 issued authorizing applicant to operate as a contract motor carrier between Cedar City and Pintura, Utah, via U. S. Highway No. 91 transporting bread for O. P. Skaggs, ice cream for Es-

calante Ice Cream Company, and meat for C. C. C. camps. Application to transport general merchandise for the J. C. Penney Company of St. George denied.

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 State No. 41.

Submitted: June 3, 1935.

Decided: July 1, 1935.

Disposition: Interstate Carrier License No. 84 issued authorizing applicant to operate as a common motor carrier of property in interstate commerce between the Utah-Idaho State Line and Ogden, Utah, via Highways Nos. U-41, U. S. 30-S, and U. S. 91.

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.

Submitted: June 28, 1935.

Decided: August 28, 1935.

Disposition: Interstate Carrier License No. 90 issued authorizing applicant to operate as a common motor carrier of property in interstate commerce between the Utah-Idaho State Line and Salt Lake City, and Murray, Utah, via Highways Nos. U-41, and U. S. 91.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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.

Submitted: June 19, 1935.

Decided: September 12, 1935.

Appearances:

K. C. Wright, Chief Engineer, } for Applicant.

B. R. Howell, Attorney, } for The D&RGW RR Co.

REPORT OF THE COMMISSION

By the Commission:

The above entitled application of the State Road Commission of Utah was filed with the Commission on June 4, 1935. Said matter came on regularly for hearing before the Commission at its office in Salt Lake City, Utah, on June 19, 1935. For convenience, the State Road Commission of Utah will hereinafter be referred to as "applicant" and The Denver and Rio Grande Western Railroad Company as the "railroad company."

From the admitted facts and testimony the Commission now finds and reports as follows:

That the State Road Commission of Utah is an agent of the State of Utah duly organized and existing by virtue of the laws of the State of Utah, and authorized by law to construct and maintain state roads.

That applicant intends to improve that portion of State Highway No. U. S. 50 in the vicinity of the crossing of The Denver and Rio Grande Western Railroad Company on West 33rd South Street in Salt Lake County, Utah, and in connection therewith desires to construct an underpass crossing under the main line tracks of the said railroad company to replace the existing crossing at grade at said point, as shown on map accompanying application, and hereby expressly referred to and made a part hereof.

The crossing under consideration is located on 33rd South Street in Salt Lake County, approximately one mile west of State Street. The railroad company has a double track at the crossing and the traffic, both train and highway, is heavy at this particular point. The crossing is at the south end of the railroad company's local yard in Salt Lake City. Considerable switching of trains occurs daily at the yard. The crossing is considered to be hazardous by reason of the heavy traffic over and along the crossing.

The record shows that the project under consideration is to be constructed with Federal Funds set aside for grade crossing elimination work. General details as to the construction of the underpass and the handling of traffic during the period of construction have been agreed upon by representatives of the applicant and the railroad company.

Under the terms of the agreement which will be entered into, the railroad company will maintain the super structure supporting the railroad tracks, and the applicant will maintain the supporting structure including the abutments, sidewalks, lighting details, and surface of the highway. The formal agreement to be entered into between the applicant and the railroad company is to be submitted to this Commission for its consideration and approval.

Testimony of the Superintendent of the Salt Lake Division of the railroad company shows that the crossing involved in the instant case carries the heaviest railroad movements of the railroad company in the State of Utah. The traffic at this crossing has run as high as sixty switching and train movements in one day. Normally there are three passenger trains operated each way daily over the crossing, with an occasional second section. Due to frequent switching of freight trains over the crossing, considerable delay in highway traffic is experienced.

WHEREFORE, by reason of the findings aforesaid, the Commission is of the opinion and so decides that in the interest of public safety and in order to facilitate the movement of traffic at the crossing in question that the application under consideration should be granted. The Commission reserves the right to conduct a further hearing, if necessary, after the filing of the formal agreement to be entered into between the applicant and the railroad company covering allocation of costs of construction and maintenance, for consideration and approval of said agreement. The Commission retains full jurisdiction in the premises until said agreement is filed and approved.

An appropriate order will follow.

(Signed) E. E. CORFMAN
THOMAS E. McKAY
JOS. S. SNOW
Commissioners.

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

ORDER

At a Session of the PUBLIC SERVICE COMMISSION OF UTAH, held at its office in Salt Lake City, Utah, on the 12th day of September, A. D. 1935.

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.

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 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, Utah, with an underpass crossing, be, and the same is hereby granted.

ORDERED FURTHER, that in the construction of said underpass applicant shall conform to the requirements of the Commission's General Order No. 25 with respect to the matter of clearances.

ORDERED FURTHER, that applicant shall file with the Commission a copy of the formal agreement to be entered into between the applicant and the railroad company covering the apportionment of costs of construction and maintenance.

ORDERED FURTHER, that the Commission shall retain jurisdiction until the formal agreement herein referred to is filed and approved by the Commission.

By the Commission.

(Seal)

(Signed) THEODORE E. THAIN
Acting Secretary.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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.

SUPPLEMENTAL REPORT AND ORDER OF THE COMMISSION

By the Commission:

Under date of September 12, 1935, the Commission issued its Original Report and Order in the above entitled matter granting 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, Utah, with an underpass crossing. The Commission's Order provided:

"ORDERED FURTHER, that applicant shall file with the Commission a copy of the formal agreement to be entered into between the applicant and the railroad company covering the apportionment of costs of construction and maintenance.

"ORDERED FURTHER, that the Commission shall retain jurisdiction until the formal agreement herein referred to is filed and approved by the Commission."

On November 1, 1935, a certified copy of the agreement dated September 30, 1935, between the State Road Commission of Utah and The Denver and Rio Grande Western Railroad Company covering construction and maintenance of underpass on West 33rd South Street in Salt Lake County, Utah, was duly filed with the Commission. Said agreement sets forth in detail the work to be done, the terms covering the construction, maintenance and removal of temporary tracks during the period of construction; the terms of construction and maintenance of highway and structures; the terms covering maintenance of underpass structure after completion, and miscellaneous items pertaining to the project involved. Item No. 6 of said agreement provides:

"CONSTRUCTION AND MAINTENANCE OF HIGHWAY AND STRUCTURES. The Road Commission shall at its sole cost and expense construct and thereafter maintain the highway contemplated by this agreement, including grading of roadway and slopes, together with the sidewalks, pavement or wearing surface thereon, and all appertaining structures and lighting system for the highway; provided, that the Railroad Company shall cooperate in the construction and subsequent maintenance of the said underpass structure to the extent and in the manner hereinafter described."

Item No. 8 of said agreement provides as follows:

"MAINTENANCE OF UNDERPASS STRUCTURE. Upon the completion of the said underpass structure, the Railroad Company shall maintain at its expense the track-supporting structural steel, the track materials and flooring in said underpass structure and the Road Commission shall maintain at its expense all abutments, the highway and the wearing surface thereon, sidewalks, and the lighting system for the highway."

NOW THEREFORE, by reason of the premises, the Commission is of the opinion and concludes and decides that said agreement with respect to the construction and maintenance of said proposed underpass and allocation of the costs of construction and maintenance as between applicant, the State Road Commission of Utah, and The Denver and Rio Grande Western Railroad Company are just and reasonable, and should be approved.

IT IS THEREFORE ORDERED, that the agreement entered into under date of September 30, 1935, between the State Road Commission of Utah and The Denver and Rio Grande Western Railroad Company covering construction and maintenance of underpass on West 33rd South Street be, and the same is hereby approved.

Dated at Salt Lake City, Utah, this 15th day of November, A. D., 1935.

(Signed) E. E. CORFMAN
THOMAS E. McKAY
JOS. S. SNOW
Commissioners.

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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.

Submitted: July 3, 1935.

Decided: August 5, 1935.

Appearances:

J. H. Devine and	}	for Applicant.
J. A. Howell, Attorneys,		
Geo. H. Lowe, Attorney,	}	for Fuller-Toponce Truck Co., Protestant.
John D. Rice, Attorney,		
	}	for State of Utah.

REPORT OF THE COMMISSION

By the Commission:

The above entitled application of the Utah Rapid Transit Company was filed with the Commission on June 11, 1935. Said matter came on regularly for hearing before the Commission on July 3, 1935, at Ogden, Utah, after due and legal notice given to interested parties. Proof of publication of Notice of Hearing was filed by applicant and accepted as part of the record. Protests against granting the application were entered on behalf of various residents and organizations of the City of Ogden, including the Fuller-Toponce Truck Company, P. W. Fuller, and the Tax Reform League.

After consideration of the testimony introduced in behalf of the respective parties hereto, and the records and the files in case, the Commission finds:

That applicant, Utah Rapid Transit Company, is a corporation organized and existing under and by virtue of the laws of the State of Delaware, and qualified to do business in the State of Utah as a foreign corporation, Applicant is the successor in interest to the Ogden Rapid Transit Company, also a corporation. For many years past, applicant has been engaged

in the business of operating a street railway system over certain streets in Ogden City, the installation of said street car system representing a capital investment of approximately \$1,500,000.00. The operation of applicant's street car system has in times past produced sufficient revenue to pay its operating expenses, but has not been sufficient during the past few years to pay the interest on its bonded indebtedness, nor have any dividends been paid to its stockholders.

Applicant alleges that it has made an investigation of the feasibility of transforming its present street car system into a system of transportation by motor vehicle and has determined that such a transformation is feasible, and that public convenience and necessity require that the present street car system be abandoned, and its trackage and equipment removed from the streets, and a motor vehicle transportation system inaugurated. It is applicant's purpose, and authority is herein sought, to abandon the present street car system including the removal of the tracks, overhead wires, and other equipment, and acquire a Certificate of Convenience and Necessity authorizing it to institute, maintain, and operate a transportation system by motor vehicle for the carriage of persons, and/or baggage, and/or express for hire over the streets, avenues, alleys, and public places of Ogden City.

We are of the opinion that there are but two issues involved in the present application upon which we must determine whether or not the application should be granted as prayed for. First, does public convenience and necessity require that the present street car system in Ogden be abandoned and a motor transportation system substituted in lieu thereof; and second, is the applicant financially able to institute and operate a motor transportation system in the City of Ogden and render the proper public service.

As to the first mentioned issue, the record shows conclusively that public convenience and necessity require that the present street car system be abandoned in favor of some other type of transportation system in the City of Ogden. Applicant's tracks and right-of-way are shown to be in a bad state of repair, due to inadequate maintenance. Applicant's revenues have not permitted the maintenance necessary to keep its tracks and right-of-way in proper operating condition. The testimony of one witness shows that the tracks in their present condition are extremely hazardous to vehicular travel over certain of the streets in Ogden. We find, therefore, that public convenience and necessity will be better served in the City of Ogden if the present street-car system is abandoned and a motor transportation system inaugurated.

We come now to the second point at issue: that of the financial ability of applicant to institute and operate a motor transportation system in Ogden. It is an admitted fact, and the record so shows, that the Utah Rapid Transit Company is now, and has been for many years past, unable to meet certain of its

financial obligations, more especially the interest on its funded debt. Further, that applicant has been unable to meet all of its taxes which have accrued for several years. We think, however, that we are concerned in the present application only with the question of whether or not applicant is able at present, and will be able in the future, financially, to render a motor transportation service in the City of Ogden. The testimony of Mr. Muleahy, General Manager of Utah Rapid Transit Company, with respect to the arrangements for the financing of a motor bus system, is as follows:

"Q. I will ask you, Mr. Muleahy, whether or not the company has made the necessary financial arrangements to carry on this undertaking.

"A. The Company has two avenues of financing the undertaking and is in a position immediately upon the granting of the certificate to secure the adequate financing." (Tr. pp. 9, 10.)

Further testimony of the same witness shows that assurance has been given by one banking institution, and by two bus building companies that proper financial backing can be obtained in the event the Commission grants the authority herein sought; that the salvaging of the present street car system, in any event, would afford sufficient funds to enable applicant to provide adequate and efficient bus service for the accommodation of the public.

It appears, therefore, that adequate finances will be available to applicant for the installation and operation of its proposed motor bus system.

In connection with the application, applicant filed herein a copy of franchise, dated December 24, 1925, granted to it by Ogden City, designated as Ordinance No. 330; said Ordinance No. 330 amends an ordinance approved January 26, 1907, as amended by an ordinance approved February 21, 1907, and as amended by an ordinance adopted and passed June 16, 1925. Section 1 of said ordinance reads as follows:

"SECTION 1. That the Utah Rapid Transit Company, (as the successor and assign of the Ogden Rapid Transit Company), a corporation, its successors and assigns, has the au-

thority and consent of the Board of Commissioners of Ogden City, Utah, and permission is hereby granted to it and to its successors and assigns, to construct, maintain, and operate during the life of this franchise, to wit: to and including the twenty-first day of January, 1957, a single or double track street and interurban railway together with the necessary switches, wyes, turn outs, side-tracks and passing tracks upon any and all of the streets, avenues, alleys and public places of Ogden City, and to operate in, over and through any and all of the streets, avenues, alleys and public places of Ogden City as a common carrier by motor vehicle of passengers and/or of baggage and/or of express for hire."

Upon the ordinance hereinabove referred to and granted to applicant as a franchise to operate as a common motor carrier for hire of passengers and/or baggage, and/or express, applicant bases its right to so operate insofar as compliance with the ordinances of the City of Ogden is concerned.

After full consideration of the record in this case, and all matters relevant thereto, the Commission finds that public convenience and necessity require that the present street railway system in the City of Ogden, Utah, should be abandoned; its trackage and other equipment removed from the streets, and a motor transportation system inaugurated and maintained in lieu thereof, and that the application herein therefor should be granted.

An appropriate order will follow.

(Signed) E. E. CORFMAN
THOMAS E. McKAY
JOS. S. SNOW
Commissioners.

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

ORDER

CERTIFICATE OF CONVENIENCE AND NECESSITY

NO. 445

At a Session of the PUBLIC SERVICE COMMISSION OF UTAH, held at its office in Salt Lake City, Utah, on the 5th day of August, 1935.

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.

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 and conclusions, which said report is hereby referred to and made a part hereof,

IT IS ORDERED, that 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 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, be, and the same 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 Service Commission of Utah governing the operation of common motor carriers over the highways of the State of Utah, and this order shall be, and is its authority therefor.

By the Commission.

(Signed) THEODORE E. THAIN,
Acting Secretary.

(Seal)

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1779

In the Matter of the Application of UTAH RAPID TRANSIT COMPANY, for a Certificate of Convenience and Necessity

sity 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.

ORDER DENYING APPLICATION FOR A REHEARING

Fuller-Toponce Truck Company and P. W. Fuller, two of the protestants in the above entitled matter, who protested the granting of the certificate of public convenience and necessity to the applicant, Utah Rapid Transit Company, granted by the Public Service Commission of Utah on the 5th day of August, 1935, having on the 14th day of August, 1935, filed herein an application for a rehearing, and said motion for rehearing and all matters and things therein set forth having been given due consideration,

IT IS ORDERED, that said application for rehearing be, and the same is hereby denied.

Dated at Salt Lake City, Utah, this 19th day of August, A. D. 1935.

(Signed) E. E. CORFMAN
THOMAS E. McKAY
JOS. S. SNOW
Commissioners.

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

CASE NO. 1780

In the Matter of the Application of O. J. AMES for a license to operate as a common motor carrier of property in interstate commerce between Salt Lake City, Utah, and Afton, Wyoming, via Highways Nos. 30-S and 91.

Submitted: July 8, 1935.

Decided: January 10, 1936.

Disposition: Interstate Carrier License No. 87 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, U. S. 30-S, and U. S. 40, via either Parley's Canyon route or Weber Canyon route.

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 Interstate 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 Castlegate, 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.
(See Case No. 1727.)

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.

Submitted: August 30, 1935. Decided: November 15, 1935.

Disposition: Application denied.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1783

In the Matter of the Application of UTAH LIGHT & 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.)

Submitted: July 10, 1935.

Decided: August 3, 1935.

Appearances:

A. C. Inman, Attorney, } for Applicant.

Maj. Chas. McGarrigl, } for Commanding General of Fort
 } Douglas.

Wallace M. Bransford, } for Himself.

REPORT OF THE COMMISSION

By the Commission:

The above entitled application was filed with the Commission on June 24, 1935. The matter came on regularly for hearing before the Commission on July 10, 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. From the record and files in the case, and the testimony introduced on behalf of the respective parties, the Commission now finds:

That applicant, Utah Light & Traction Company, is a corporation organized and existing under and by virtue of the laws of the State of Utah with its principal place of business at Salt Lake City, Utah. A copy of the Articles of Incorporation of applicant is on file with the Commission. Applicant owns and operates an electric street railway, trolley coach, motor bus system in Salt Lake City, Salt Lake County, and Davis County in the State of Utah, and is engaged in business as a common carrier of passengers.

As a part of applicant's street railway, trolley, and bus system in Salt Lake City, applicant operates what is commonly known as its Ninth Avenue Line, (Route No. 1); its Sixth Avenue Line, (Route No. 2); and its Third Avenue-Fort Douglas Line, (Route No. 3.) The present route of each of these lines is as follows:

NINTH AVENUE LINE

The Ninth Avenue Line, which is operated in conjunction with the South Seventh East Street car line is furnished service by regular street railway cars, the route of which extends

North on Main Street to South Temple Street; thence East to State Street; thence North to First Avenue; thence East to B Street; thence North to Ninth Avenue; thence East to the terminus of said line at K Street; returning over the same route to First Avenue and State Street; thence North to North Temple Street; thence West to Main Street; thence South on Main Street where the said line continues as a part of the South Seventh East Street Car Line.

SIXTH AVENUE LINE

The Sixth Avenue Line, which is also a street railway service, extends North on Main Street from Third South to South Temple Street; thence East to State Street; thence North to First Avenue; thence East to B Street; thence North to Sixth Avenue; thence East to the terminus of said line at N Street, returning over the same route to First Avenue and State Street; thence North to North Temple Street; thence West to Main Street; thence South to Third South Street, the point of beginning.

THIRD AVENUE-FORT DOUGLAS LINE

The Third Avenue-Fort Douglas Line is also a street railway service, which line extends North on Main Street from Third South to South Temple Street; thence East to E Street; thence North to Third Avenue; thence East to Virginia Street; thence North to Fourth Avenue; thence East to Alta Street; thence in a South-Easterly direction to the terminus of said line at Fort Douglas, returning over the same route to South Temple and State Street; thence South on State Street to Third South Street; thence West to Main Street, the point of beginning.

Applicant proposes and seeks authority to institute, maintain, and operate in lieu of the above described service over its Ninth Avenue, Sixth Avenue, and Third Avenue-Fort Douglas Lines, the following described service:

NINTH AVENUE LINE

Applicant proposes to substitute gasoline motor bus service in lieu of street car service on its Ninth Avenue Line, the route of which bus line will be North on Main Street from Third South to South Temple Street; thence East to State Street; thence North to First Avenue; thence East to B Street; thence North to Ninth Avenue; thence East to the terminus of said line at K Street, returning over the same route to First Avenue and State Street; thence South on State Street

to Third South Street; thence West to Main Street. No change in the routing of applicant's Seventh East Street car line (No. 8) will be required by reason of the change herein proposed, except that the Number Eight line will be "looped" in the down-town district of Salt Lake City.

In the event authority is granted for the substitution of gasoline motor bus service on its Ninth Avenue Line, applicant seeks authority to remove its tracks, poles, overhead wires, and other equipment from that portion of its Ninth Avenue route from B street to the terminus of said track at K street. Such authority is sought for the reason that if gasoline motor bus service is instituted over this route, the track and other equipment from B Street to K Street on Ninth Avenue will no longer be necessary or useful in rendering service to the public, and for the further reason that certain improvements are contemplated on Ninth Avenue, including the re-surfacing of said street, and the lowering of the crown, or surface thereof.

SIXTH AVENUE LINE

In lieu of street car service on its Sixth Avenue Line, applicant proposes to substitute gasoline motor bus service, the route of which line will be North on Main Street from Third South to South Temple Street; thence East to State Street; thence North to First Avenue; thence East to B Street; thence North to Sixth Avenue; thence East to the terminus of said line at N Street, returning over the same route to First Avenue and State Street; thence South on State Street to Third South Street; thence West to Main Street, the point of beginning.

Applicant does not propose to remove its tracks, poles, wires, and other equipment at this time from its Sixth Avenue Line.

THIRD AVENUE-FORT DOUGLAS LINE

In lieu of the present street car service on the Third Avenue--Fort Douglas Line, applicant proposes to operate a gasoline motor bus service, the route of which line will be North on Main Street from Third South to South Temple Street; thence East to E Street; thence North to Third Avenue; thence East to Penrose Street; thence Northeast to Fairfax Street; thence Northeast to Arlington Drive; thence Westerly to Alta Street; thence South to Third Avenue; thence West to E Street; thence South to South Temple Street; thence West to State Street; thence South to Third South Street; thence West to Main Street, the point of beginning.

Applicant proposes further to extend its present South Temple Street gasoline bus line through Federal Heights along Federal Way to a new terminus of said South Temple bus line at Fort Douglas, returning over the same route, and via Wolcott Street to South Temple Street. If the above described changes are permitted, Fort Douglas will be served by the South Temple Bus Line as extended instead of by a bus line or street car line, operating via Third Avenue.

Applicant does not propose at this time to remove its tracks, poles, overhead wires, and other equipment forming a part of the present Third Avenue-Fort Douglas Street Car line.

If applicant is permitted to make the changes herein described, and substitute gasoline motor bus service for the present street car service on its Ninth Avenue Line, Sixth Avenue Line, and Third Avenue-Fort Douglas Line, it proposes to continue to have street car service available if and when such service is required, except from B Street to K Street on its 9th Avenue Line, between which points applicant seeks authority to remove its tracks and other equipment.

Applicant alleges the following three reasons for its desire to make the changes covered in the instant application:

1. It is shown that Salt Lake City contemplates improving and resurfacing Ninth Avenue between B and K Streets in Salt Lake City, included in which will be the lowering of the crown or surface of said street. It is necessary that applicant's tracks be removed to permit of the street improvements which will eliminate the necessity of having a street railway track located on said improved street. Salt Lake City Corporation has requested applicant to remove its track on Ninth Avenue from B to K Streets for this reason.

2. In the event the Commission grants authority to applicant to operate gasoline motor bus service as hereinabove described, the street railway tracks and equipment which applicant desires to remove will no longer be necessary or useful in rendering service to the public.

3. The proposed gasoline motor bus service will satisfy the needs of the public, and public convenience and necessity will be as well served with a gasoline motor bus service as by the present street car service.

There were no protests entered against granting of the application; but on the contrary, a representative of the Commanding General of Fort Douglas testified that Fort Douglas

officials were in favor of the changes. An owner of certain apartment houses testified that he favored the changes which would eliminate the noise of street railway cars, and confusion in connection with the operation of the same.

Upon the foregoing findings, and the record and files in the case, all of which are hereby expressly referred to and made a part hereof, the Commission finds that public convenience and necessity will be as well served through the operation of gasoline motor bus service as proposed by applicant; that the removal of its tracks and other equipment on 9th Avenue from B Street to K Street will not jeopardize the interests of the public, and that the application herein should be granted.

An appropriate order will follow.

(Signed) E. E. CORFMAN
THOMAS E. McKAY
JOS. S. SNOW
Commissioners

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

ORDER

At a Session of the PUBLIC SERVICE COMMISSION OF UTAH held at its office in Salt Lake City, Utah, on the 3rd day of August, A. D. 1935.

CASE NO. 1783

In the Matter of the Application of UTAH LIGHT & 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.)

CERTIFICATE OF CONVENIENCE AND NECESSITY

NO. 443

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 Utah Light and Traction Company for permission to substitute gasoline motor bus service in lieu of street car service on its Ninth Avenue Line (Route No. 1) and to remove its tracks, poles, overhead wires, and other equipment from that portion of its Ninth Avenue Line from B Street to K Street, be, and the same is hereby granted.

ORDERED FURTHER, that the application herein of Utah Light and Traction Company for permission to substitute gasoline motor bus service for street car service on its Sixth Avenue Line be, and the same is hereby granted.

ORDERED FURTHER, that the application herein of Utah Light and Traction Company for permission to substitute gasoline motor bus service in lieu of street car service on its Third Avenue-Fort Douglas Line, and to extend its present South Temple Street gasoline motor bus line through Federal Heights along Federal Way to a new terminus at Fort Douglas, be, and the same is hereby granted.

ORDERED FURTHER, that applicant shall not charge higher fares for motor bus service over and upon said routes than it has heretofore charged for street car service.

By the Commission.

(Signed) THEODORE E. THAIN,
Acting Secretary.

(Seal)

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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 as State Stores and/or Package Agencies.

Submitted: July 15, 1935.

Decided: September 19, 1935.

Appearances:

D. Howe Moffat, Attorney,	}	for Applicant.
B. R. Howell, Attorney,	}	for The D&RGW RR and Rio Grande Motor Way, Inc.
Ray B. Needham,	}	for Bamberger Elec. RR Co.
F. M. Orem, Comptroller,	}	for S. L. & Utah R. R. Co.
Grant McFarlane, Attorney,	}	for Jos. J. Milne Truck Line, Inc. and Petty & Riddle, Inc.
E. J. Hardesty,	}	for Railway Express Agency.
J. A. Howell, Attorney,	}	for The U. I. C. R. R. Co.
W. Hal. Farr, Attorney,	}	for Union Pacific System.
Lynn S. Richards, Attorney,	}	for Salt Lake & Ogden Transportation Co.
D. Lane, Attorney,	}	for Utah Central Truck Line.
Dan B. Shields, Attorney,	}	for Bingham Stage Lines and Don Hout.
Ira Huggins, Attorney,	}	for Fuller & Toponce Truck Company.

Protestants.

REPORT AND ORDER OF THE COMMISSION

By the Commission:

On the 25th day of June, 1935, Utah Transportation Company filed an application for an order authorizing and permitting it to operate motor vehicles for the transportation of property between Salt Lake City and points designated by State Liquor Control Commission as State Stores and/or Package Agencies, over "various" highways of the State of Utah.

After due notice given, the application came on regularly for hearing before the Commission at its office in the State Capitol on the 15th day of July, 1935, at which hearing nu-

merous carriers of property both by railroads and by automobile trucks, appeared and protested the granting of the application applied for.

From the evidence adduced for and in behalf of the applicant, and the protesting carriers, and from the records and files in the case, the Commission finds the following facts:

First: 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, having its principal office or place of business in Salt Lake City, Utah. As a corporation, it has among other things been organized for the purpose, and it is now, and has been for some years last past, engaged in the transportation of persons and property for hire over the highways of the State of Utah, under the provisions of Chapter 53, Laws of Utah, 1933, effective June 26, 1933.

That the Liquor Control Commission is a Commission duly created and organized under the provisions of Chapter 43, Liquor Control Act, passed by the Legislature of Utah, March 14, 1935, which became effective March 25, 1935.

That the Applicant, Utah Transportation Company, on the 8th day of July, 1935, and the Liquor Control Commission, made and entered into an agreement, a copy of which is as follows:

"MEMORANDUM OF AGREEMENT"

THIS AGREEMENT made and entered into this 8th day of July, 1935, BY AND BETWEEN

UTAH LIQUOR CONTROL COMMISSION, organized and operating pursuant to Chapter 43, Laws of Utah, 1935, hereinafter called

THE COMMISSION

AND

UTAH TRANSPORTATION COMPANY, a Corporation organized under the Laws of the State of Utah, with headquarters at the New Grand Hotel, Salt Lake City, hereinafter called

TRAFFIC MANAGER

WITNESSETH:

WHEREAS, THE COMMISSION controls the right to Intra State transportation of liquor, and

WHEREAS, the Utah Transportation Company desires to be appointed TRAFFIC MANAGER, and have the exclusive right to distribute liquors for THE COMMISSION throughout the State.

NOW THEREFORE, in consideration of the mutual premises and agreements herein contained THE COMMISSION hereby appoints the Utah Transportation Company TRAFFIC MANAGER within the State under the following conditions:

(1) The TRAFFIC MANAGER shall distribute for THE COMMISSION all liquor to be transported by it from THE COMMISSION'S warehouse to and from all state stores and package agencies outside of Salt Lake County by means of common carriers holding certificates of convenience and necessity, issued by the Public Service Commission of the State of Utah.

(2) The TRAFFIC MANAGER may within Salt Lake County, and elsewhere within the State where there are no established routes, and in cases of emergency, deliver liquors from and to said warehouse, state stores, and package agencies by its own trucks.

In determining whether or not distribution through such common carriers can be made, the said TRAFFIC MANAGER may take into consideration the rates charged and the scheduled time of transportation to and from points of shipments.

(3) THE COMMISSION agrees to pay to the TRAFFIC MANAGER the sum of twenty cents (20c) per case for the transportation from the point of loading to the assigned destination for each and every case of liquor transported by or under the direction of said TRAFFIC MANAGER.

(4) The TRAFFIC MANAGER agrees to conform to and govern itself in accordance with the law and such orders, instructions, and directions as it may, from time to time, receive from THE COMMISSION.

It is understood and agreed between the parties hereto that this Agreement does not create an irrevocable agency, but is one of employment, and is subject to termination for cause at any time at the discretion of THE COMMISSION.

IN WITNESS WHEREOF, the parties hereto have caused

their official seals to be hereunto affixed, attested by the signatures of their proper officers, on the 8th day of July, 1935.

WITNESS:

UTAH TRANSPORTATION COMPANY
(By) (Signed) LYLE B. NICHOLLES,
Pres. & Gen'l Mgr.

UTAH LIQUOR CONTROL COMMISSION
(By) (Signed) H. B. BROWN,
Administrator.

(By) (Signed) G. M. WHITMORE,
Commissioner."

The applicant, Utah Transportation Company, is at the present time the owner of one White Truck, two ton capacity, 1931 model, besides other automobile equipment shown by schedule attached to its application. The applicant has shown by its financial statement attached to its application that it has net assets amounting to \$5,581.78. Applicant has the equipment and the financial ability to render the service to the Liquor Control Commission, for which it now seeks a Contractor's Permit under the provisions of Chapter 53, Laws of Utah, 1933.

Mr. Lyle Nicholes, a witness in behalf of the applicant, testified in effect that the Liquor Control Commission and its Traffic Manager, the Applicant, had found that in the handling and distribution of liquors under the provisions of Chapter 43, Laws of Utah, 1935, occasionally no established, certificated carriers were available for transporting liquors from Salt Lake City to State Stores; that occasionally an emergency arises, and in order to meet it and make prompt delivery from warehouse to state store, in emergency cases it becomes necessary for the applicant as Traffic Manager to use its own equipment. Under the terms of the agreement above set forth, the applicant, as Traffic Manager, is permitted to do that.

Under the provisions of Section 13, Article 3, Chapter 53, Laws of Utah, 1933, relating to contract carriers, among other things, it is provided that: "if it appears from the evidence that the highway is, in the opinion of the Commission (Public Service 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."

Under the provision of the statute last above quoted, we have consistently held that this Commission has no power to authorize any automobile carrier for hire the unlimited right to use all the highways of the state for the transportation of either persons or property. We regard the provisions of the statute above quoted as mandatory, and in all cases where existing transportation facilities are shown to be adequate, the application must be denied.

The applicant here is seeking to conform to statutes, which as yet have had no judicial interpretation by the courts. However, it is apparent from the reading of Chapter 53, the provisions of which we are charged with the duty of administering, that we cannot grant the application applied for by Utah Transportation Company.

It would seem that in all cases where no established carrier is available for the transportation of liquors, or where an emergency arises which requires a prompt delivery that present transportation facilities cannot afford, ample provisions are made under Section 13 above quoted, for our granting a temporary permit to do so. Very broad powers are granted the Liquor Control Commission under Chapter 43, Laws of Utah, 1935, with respect to the handling and distribution of liquors. As a preliminary provision, Section 2 of Article 1, Chapter 43 of the Liquor Control Act, declares:

"This act shall be deemed an exercise of the police powers of the state for the protection of the public health, peace, and morals; to prevent the recurrence of abuses associated with saloons; to eliminate the evils of unlicensed and unlawful manufacturing, selling, and disposing of alcoholic beverages; and all provisions of this act shall be literally construed for the attainment of these purposes."

Under the broad powers conferred by the Liquor Control Act which is last in time, it will be an open question whether or not the applicant, Utah Transportation Company as Traffic Manager for the Liquor Control Commission is accountable to the provisions of Chapter 53, Laws of Utah, which we administer. Be that as it may, this Commission wishes to cooperate

with the Liquor Control Commission to the fullest extent it is legally possible to do so. The applicant as an automobile carrier has on file in the office of this Commission the necessary insurance and bond for the protection of the public while it is using the highways. We do not think any serious inconvenience will be suffered by it in securing temporary permits as occasion may arise, for prompt movements of liquors in accordance with its agreement with the Liquor Control Commission of Utah.

Upon the records and files in this case, and for the reasons stated, we think the application as made by the Utah Transportation Company should be, and the same is hereby denied.

(Signed) E. E. CORFMAN
THOMAS E. McKAY
JOS. S. SNOW
Commissioners.

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

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.

Disposition: Order issued August 9, 1935, dismissing application without prejudice.

CASE NO. 1786

In the Matter of the Application of UTAH LIGHT & TRACTION COMPANY to remove certain of its unused tracks and equipment from certain streets in Salt Lake City, Utah.

Submitted: July 30, 1935.

Decided: August 3, 1935.

Disposition: Order issued authorizing applicant to remove its unused tracks, poles, wires, and other equipment from the following described streets in Salt Lake City, Utah:

SOUTH EIGHTH WEST STREET

All of Petitioner's tracks, poles, overhead wires, and other equipment on Eighth West Street between Second South Street and the terminus of said tracks at Thirteenth South Street.

SECOND SOUTH STREET

All of Petitioner's tracks, poles, overhead wires, and other equipment on Second South Street between Eighth West Street and the terminus of said tracks at the Jordan River Bridge.

FIFTH WEST AND FIRST SOUTH STREETS

All of Petitioner's tracks, poles, overhead wires, and other equipment on Fifth West Street between First and Second South Streets, and on First South Street between Fifth and Eighth West Streets.

SOUTH TEMPLE STREET

All of Petitioner's tracks, poles, overhead wires, and other equipment on South Temple Street, between West Temple and Third West Streets.

CENTER STREET

All of Petitioner's poles, wires, and other overhead equipment from First North Street northwesterly along Center Street, First West Street and Wall Street to Second West Street; also all of Petitioner's tracks on Center Street between Second North and First West Streets.

CASE NO. 1787

In the Matter of the Application of GEO. A. MITCHELL for a permit to operate as a contract motor carrier of property in intrastate commerce between Salt Lake City and Cedar City, and points intermediate between the two points; and from Cedar City to points in Iron, Washington and Kane Counties, via Highways Nos. 91, 89, and 15.

Submitted: July 15, 1935.

Decided: August 20, 1935.

Disposition: Application denied.

CASE NO. 1788

In the Matter of the Application of DICK TRUSCOTT for a license to operate as a common motor carrier of property in interstate commerce between Tonopah, Nevada, and Salt Lake City, Utah, via Highways Nos. 93, 40, and 50.

Disposition: Order issued August 1, 1935, dismissing application without prejudice.

CASE NO. 1789

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 track of The Denver and Rio Grande Western Railroad Company in the vicinity of Green River in Emery County, Utah, with an underpass crossing.

(PENDING)

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1790

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to abandon an existing grade crossing of the Bamberger Electric Railroad Company at a Junction of State Road No. 131 with State Road No. U. S. 91, south of Woods Cross, in Davis County, Utah.

Submitted: July 20, 1935.

Decided: September 10, 1935.

Appearances:

Ezra C. Knowlton,	} for Applicant.
J. T. Hammond, Attorney,	} for Property Owners at
	} Woods Cross.
N. F. Woolsey,	} for Bamberger Electric R. R.
	} Co.

REPORT OF THE COMMISSION

By the Commission:

The above entitled application of the State Road Com-

mission of Utah was filed with the Commission on July 8, 1935. Said matter came on regularly for hearing before the Commission at its office in Salt Lake City, Utah, on July 29, 1935, after due and legal notice given to interested parties. Proof of publication of notice of hearing was filed with the Commission. There were no protests filed either in writing, or at the hearing.

From the admitted facts of record, the Commission now finds:

That applicant, the State Road Commission of Utah, is an agent of the State of Utah authorized by law to construct, maintain, and supervise the roads of the State of Utah. That applicant has improved and widened a section of State Road No. U. S. 91 northerly from the Salt Lake-Davis County line, as project No. N. R. H. 111-A, and in connection with said improvements applicant has re-located and reconstructed the junction therewith of State Road No. 131, which road runs due north to Woods Cross at a point on State Road No. U. S. 91, approximately 2.5 miles northerly from the Salt Lake-Davis County Line as shown on blue-print accompanying the application, and hereby expressly referred to and made a part hereof. In re-locating and reconstructing the junction, said junction point has been moved 300 feet northerly in order to provide a grade crossing of the Bamberger Electric Railroad Company main line by said State Road No. 131. By reconstructing and relocating said crossing on the Bamberger Electric Railroad, the highway grade and the railroad grade are approximately on the same level. At the old crossing the tracks of the railroad are approximately four feet higher than the grade of the highway.

The crossing at the point of re-location is approximately at right angles with the railroad tracks, and affords a more satisfactory and safe crossing for the traveling public to use.

NOW; THEREFORE, by reason of the findings aforesaid, and the record and files in the case, the Commission concludes that public convenience and necessity will be better served and a greater degree of safety will obtain for the traveling public if the crossing at grade under consideration is approved, and that the application should be granted.

The Commission further concludes, that the original grade crossing at the junction under consideration is now unneces-

sary, and should be abandoned and closed to public use as a matter of public safety.

An appropriate order will follow:

(Signed) E. E. CORFMAN
THOMAS E. McKAY
JOS. S. SNOW
Commissioners.

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

ORDER

At a Session of the PUBLIC SERVICE COMMISSION OF UTAH, held at its office in Salt Lake City, Utah, on the 10th day of September, A. D., 1935.

CASE NO. 1790

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to abandon an existing grade crossing of the Bamberger Electric Railroad Company at a Junction of State Road No. 131 with State Road No. U. S. 91, south of Woods Cross, in Davis County, Utah.

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 conclusion, which said report is hereby referred to and made a part hereof,

IT IS ORDERED, that the application of the State Road Commission of Utah for permission to abandon an existing grade crossing of the Bamberger Electric Railroad Company at junction of State Road No. 131 with State Road No. U. S. 91, south of Woods Cross in Davis County, Utah, and to construct and maintain another crossing at grade at the junction of State Road No. 131 at a point approximately three hundred feet northerly from the point of the old crossing, be, and the same is hereby granted.

ORDERED FURTHER, that applicant shall install and maintain standard cross-arm signals at said crossing and also advance warning signals, as required in the Commission's General Order No. 28.

ORDERED FURTHER, that the original grade crossing at said junction be abandoned and closed to public travel.

By the Commission.

(Signed) THEODORE E. THAIN,
Acting Secretary.

(Seal)

CASE NO. 1791

In the Matter of the Application of GEORGE W. HAIL for a certificate of convenience and necessity to operate as a common motor carrier of passengers and property in intrastate commerce between St. George, Utah, and Kanab, Utah, over and upon Highways Nos. 91, 15, and 89.

Submitted: June 17, 1935. Decided: September 14, 1935.

Disposition: Certificate of Convenience and Necessity No. 440 issued authorizing applicant to operate as a common motor carrier of passengers and express in intrastate commerce between St. George, Utah, and Kanab, Utah, via Highways Nos. U. S. 91, U-15, U-17, and U. S. 89, express operations to be confined to such property as can be conveniently handled on a passenger carrying vehicle, no package to exceed 50 pounds in weight, nor shipment to exceed a total weight of 200 pounds per trip.

Order issued September 26, 1935, suspending the operation of Certificate of Convenience and Necessity No. 440 until the applicant secured authority from the National Parks authorities to occupy the road through Zion National Park.

Order issued June 23, 1936, vacating order of September 26, 1935, and reinstating Certificate of Convenience and Necessity No. 440.

CASE NO. 1792

In the Matter of the Application of HARRIS BETHERS for a permit to operate as a contract motor carrier of property

(milk) in intrastate commerce between Heber, Utah, and Provo, Utah, via Highway No. 40.

Submitted: August 7, 1935.

Decided: August 20, 1935.

Disposition: Contract Carrier Permit No. 118 issued authorizing applicant to operate as a contract motor carrier of milk from the farms in and near Heber City for delivery to the Mid-Western Dairy at Provo, Utah, via U. S. Highway No. 40 and U-7.

CASE NO. 1793

In the Matter of the Application of E. H. CURRY and EARL NASH, a partnership, for a license to operate as a common motor carrier of passengers in interstate commerce between Salt Lake City, Utah, and Los Angeles, California, via Wendover, Utah, Ely and Las Vegas, Nevada, and Glendale, California, over and upon U. S. Highways Nos. 40-50.

Submitted: July 31, 1935.

Decided: August 24, 1935.

Disposition: Interstate Carrier License No. 91 issued authorizing applicants, E. H. Curry and Earl Nash, a partnership, d/b/a Overland Stages, to operate as a common motor carrier of passengers in interstate commerce between Salt Lake City, Utah, and the Utah-Nevada State Line, via Highways Nos. U. S. 40-50.

CASE NO. 1794

In the Matter of the Application of INTERSTATE TRANSIT Lines, a corporation, for permission to file and put into effect Tariff No. 600-C covering the transportation of packages between all points on the Interstate Transit Lines including the State of Utah, and providing therein for certain changes and increases.

Submitted: August 5, 1935.

Decided: August 13, 1935.

Disposition: Order issued authorizing applicant to file and put into effect Tariff No. 600-C covering the transportation of packages between all points on the Interstate Transit Lines, including the State of Utah, said tariff to be made effective July 20, 1935.

CASE NO. 1795

In the Matter of the Application of ADAIR & FARNSWORTH for a license to operate as a contract motor carrier of property in interstate commerce between Ogden, Utah, and the Utah-Nevada State Line, enroute to Sacramento, California, via U. S. Highway No. 40.

Disposition: Order issued August 13, 1935, dismissing application without prejudice.

CASE NO. 1796

In the Matter of the Application of GEORGE YOUNG for a license to operate as a common motor carrier of property in interstate commerce between Salt Lake City and Ogden, Utah, and Casper, Wyoming, via U. S. Highways Nos. 30 and 91.

Submitted: August 26, 1935.

Decided: October 18, 1935.

Disposition: Interstate Carrier License No. 95 issued authorizing applicant to operate as a common motor carrier of property in interstate commerce between Salt Lake City, Ogden, and the Utah-Wyoming State Line, via Highways Nos. U. S. 91 and 30-S.

Order issued February 25, 1936, suspending indefinitely all operations under Interstate Carrier License No. 95.

CASE NO. 1797

In the Matter of the Application of DENVER COLORADO SPRINGS PUEBLO MOTOR WAY, INC. to discontinue operations of motor passenger bus lines between Salt Lake City, Utah, and the Utah-Colorado Line, etc., under Certificate of Convenience and Necessity No. 428, and Interstate License No. 67; and of DENVER-SALT LAKE-PACIFIC STAGES, INC. to assume said operations.

Submitted: September 4, 1935. Decided: September 16, 1935

Disposition: Certificate of Convenience and Necessity No. 428 and Interstate Carrier License No. 67, previously issued to Denver-Colorado Springs-Pueblo Motor Way, Inc. cancelled, and,

Certificate of Convenience and Necessity No. 447 issued authorizing Denver-Salt Lake-Pacific Stages, Inc. to assume the operation of 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 either State Highway No. 33 via Duchesne, or over State Highway No. 53 via Myton through Nine-mile Canyon; local service between Salt Lake City and Park City or points intermediate, or between Park City and Heber City or points intermediate, or between Salt Lake City and Provo or points intermediate, prohibited, and,

Interstate Carrier License No. 94 issued authorizing Denver-Salt Lake-Pacific Stages, Inc. to assume the operation of a bus line in interstate commerce as a common motor carrier of passengers between Salt Lake City, Utah, and the Utah-Colorado State Line, 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 the Utah-Colorado State Line.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1798

In the Matter of the Application of ST. JOSEPH WATER & IRRIGATION COMPANY for permission to file and have approved rate schedule for water service.

Submitted: September 3, 1935. Decided: December 9, 1935.

Appearances:

Harry S. Joseph, } for Applicant.

James H. Oldham,	|	
Fred Deppe,	|	
David Betts,	|	
Thomas Luker,	|	
R. Steenblik,	|	
Elias Parkin.	|	

} for Themselves.

REPORT OF THE COMMISSION

By the Commission:

An application was filed with the Commission on July 31, 1935, by the St. Joseph Water & Irrigation Company for permission to file a new rate schedule and a new set of rules and regulations covering water service to its patrons. Said application came on regularly for hearing before the Commission at its office in Salt Lake City, Utah, on September 3, 1935, after due and proper notice furnished to all patrons of said company. Numerous patrons of the company appeared at the hearing and offered testimony in connection with the service and rates of said company.

From the testimony introduced on behalf of the respective parties, and the record and files in the case, the Commission now finds, reports, and orders, as follows:

That applicant, the St. Joseph Water & Irrigation Company, is a corporation organized and existing under and by virtue of the laws of the State of Utah, and is engaged in the business of furnishing water for culinary and irrigation purposes in a section of Davis County, Utah. Applicant has a total of seventeen customers, consisting of sixteen individuals and the Bamberger Electric Railroad Company, which company receives service from applicant on a contract basis.

That numerous disputes have arisen between certain customers and the company in regard to the rate or rates which the customers are required to pay for service, and that applicant now proposes to establish a measured rate for all types of service with a monthly minimum for various types of service. Applicant also seeks approval of new rules and regulations pertaining to water service.

The record shows that the system originally was built to supply a farm with culinary water in Davis County operated by the St. Joseph Land & Irrigation Company; that subsequent to the time the system was first built, several other parties residing near the pipe line installed by the Company requested the company to furnish them water for culinary use. The company agreed to furnish such service at a minimum rate of \$1.00 per month for household use. At this time patrons of the company did not use the water for lawns nor for irrigation purposes, but merely for household use. In more recent years, some of the company's patrons have planted lawns, gardens, and trees, and also have livestock, and the water from said company is used in watering their lawns, livestock, etc.

THE COMMISSION

with the Commission on July 31, and the Davis County Water & Irrigation Company for period and a new set of rules and rates to its patrons. Said application was heard before the Commission at its meeting on September 3, 1935, after due notice to all patrons of said company. A representative of the company appeared at the hearing and discussed with the service and rates of

presented on behalf of the respective companies in the case, the Commission considered, as follows:

The Davis County Water & Irrigation Company, which is existing under and by virtue of a contract with the State of Utah, and is engaged in the business of water supply for culinary and irrigation purposes in Davis County, Utah. Applicant has a total of sixteen individuals and the Davis County Water & Irrigation Company, which company operates on a contract basis.

There have arisen between certain customers and the company regarding the rate or rates which they are to pay for service, and that applicant proposes a measured rate for all types of service and a minimum for various types of service. The Commission has adopted new rules and regulations per-

the water system originally was built to supply water in Davis County operated by the Davis County Water & Irrigation Company; that subsequent to the first built, several other parties have been installed by the Company requested to supply water for culinary use. The commission has set the service at a minimum rate of \$1.00

At this time patrons of the company are not charged for lawns nor for irrigation purposes. In more recent years, some have planted lawns, gardens, and orchards, and the water from said company is used for lawns, livestock, etc.

The rates which applicant proposes to publish and make effective are as follows:

Kind of Service (or Use)	Meter Rates Per M. Gal.	Monthly Minimum Rates
Water		
Private Residences	20c	\$1.00
Hotels and Apartment Houses.....	20c	5.00
Auto Service Stations.....	20c	1.50
Public Fountains and Fire Plugs.....	20c	1.00
(Restricted for public use)		Each per Mo.
Horses and Cattle	20c	.25 ea.
Hogs	20c	.10 ea.
Flower or vegetable gardens and/or fruit orchards	20c	1.00
Lawns	20c	1.00
Water consumption by meter over 50,000 gallons per month to 300,000 gallons per month	15c per M Gallons	

The Corporation will not be responsible for shortage of water due to drouth or other natural agencies, or through breaks in the main lines over which corporation has no control.

Meters will be installed for all consumers at a uniform price of \$12.00, the expense for same to be borne by consumer.

The corporation reserves the right to restrict consumption of water in the ratio of its supply.

The proposed rules and regulations of the Company are as follows:

RULES AND REGULATIONS

1st—No hose connections with service pipes shall exceed one-half ($\frac{1}{2}$) inch in diameter except fire hose, but sprinkler devices may be used.

2nd—No nozzles above one-fourth ($\frac{1}{4}$) inch diameter shall be used.

3rd—All bills payable not later than 10th of month suc-

ceeding service. Failure to pay may result in turn off of service which will only be resumed on payment of arrearages plus \$2.00 for shut-on service.

4th—In case of fire in the district, all house, garden and lawn taps must be kept closed until fire is extinguished.

5th—Any tampering with meters and/or main lines will result in shut-off from consumer's premises and enforcement of Rule 3 relating to cost of re-service.

6th—When stock watering troughs are filled, supply line must be furnished by consumer with automatic shut off cock.

7th—Company will furnish and install all meters whether on or off property of consumer at cost of meter and installation. Access to same and all pipe connections or taps inside or outside of buildings or grounds will be afforded Company employees or agents at all seasonable hours.

8th—Company will not be responsible for shortage of water due to drought, breakages in main, or service lines, or acts of God.

Applicant claims that investment in its system, undepreciated is approximately \$27,840.00. This figure includes the appraised value of its spring, land, the reservoirs, pipes, valves, and other miscellaneous items going into the make-up of a water distribution system, including development expenses and attorneys' fees which have been capitalized. The company's annual report for the year 1934 as filed with the Commission shows total revenues from operation of \$743.00, expenses from operation, including taxes, \$743.05. There is no allowance made for depreciation of physical properties in the figure covering expenses and taxes. It is apparent, therefore, that under present operating conditions the revenues derived from the operation of the system are barely sufficient to take care of necessary operating and maintenance expenses, without allowing anything for depreciation, and without allowing any return on the capital investment of the company.

During the past several years, the company has not had meters installed on the premises of some of its customers. As a result, some patrons have been on a flat rate while others have been on a metered rate. Such an arrangement can result only in discriminating practices. It is the Commission's opinion that all customers of applicant should be put on a measured basis with proper meters installed to measure the water used by each, the cost of the meters for present customers to be borne

by the company; but that all new customers subsequent to the effective date of this Report and Order shall bear the expenses of installation by the Company of a meter at a uniform charge of Twelve Dollars.

NOW THEREFORE, by reason of the findings aforesaid and the records and files in the case, the Commission is of the opinion and so decides that applicant should be premitted to publish and make effective the rates, and rules and regulations proposed herein, in conformity with the above findings, such rates, and rules and regulations to become effective not earlier than December 15, 1935, on five days' notice to the Commsision and the Public. The Commission is of the opinion that all customers should be put on a metered basis in order that the present inequalities may be eliminated.

An appropriate order will follow.

(Signed) E. E. CORFMAN
THOMAS E. McKAY
JOS. S. SNOW
Commissioners.

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

ORDER

At a Session of the PUBLIC SERVICE COMMISSION OF UTAH, held at its office in Salt Lake City, Utah, on the 9th day of December, A. D., 1935.

CASE NO. 1798

In the Matter of the Application of the ST. JOSEPH WATER & IRRIGATION COMPANY, for permission to file and have approved rate schedule for water service.

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 and conclusions, which said report is hereby referred to and made a part hereof,

IT IS ORDERED, That the application of the St. Joseph Water & Irrigation Company for permission to file and have approved rate schedules, and rules and regulations for water service, be, and the same is hereby granted.

ORDERED FURTHER, That applicant may publish and make effective not earlier than December 15, 1935, on five days' notice to the Commission and the public, the Rates, Rules, and Regulations in conformity with the findings of the Commission hereinabove. Applicant shall file new Rate Schedules and new Rules and Regulations in conformity with such findings. Proposed Rule No. 7 shall be changed to read as follows:

"The Company will furnish and install at its own expense meters sufficient to put all present customers under metered service. On and after the effective date of these rules, new customers will be required to pay a uniform charge of Twelve Dollars for the installation of a meter. Access to same, and all pipe connections or taps inside and outside of buildings and grounds will be afforded company employees or agents at all seasonable hours."

Applicant shall also change the rule covering meter installations as contained in the proposed Schedule of Rates to read as follows:

"On and after the effective date of this tariff, meters will be installed for all new consumers at a uniform price of Twelve Dollars, the expense for same to be borne by consumer."

ORDERED FURTHER, That applicant shall place all of its customers on a meter basis.

By the Commission.

(Signed) THEODORE E. THAIN

Acting Secretary.

(Seal)

CASE NO. 1799

In the Matter of the Application of D. H. MANN for a permit to operate as a contract motor carrier of property in intrastate commerce between Brigham City and Cross Road Service Station over and upon Highway No. 30.

Disposition: Order issued September 10, 1935, dismissing application without prejudice.

CASE NO. 1800

In the Matter of the Application of PEOPLES SERVICE & PRODUCE ASSOCIATION for a permit to operate as a contract motor carrier of property in intrastate commerce between Salt Lake City, Utah, and Roosevelt, Utah, over and upon Highway No. 40.

Disposition: Order issued September 10, 1935, dismissing application without prejudice.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1801

In the Matter of the Application of THE UTAH IDAHO CENTRAL RAILROAD COMPANY, a Corporation, for permission to make certain increases and reductions in passenger fares, both local fares and joint fares with the BAMBERGER ELECTRIC RAILROAD COMPANY, (Julian M. Bamberger and Lahman E. Bower, Receivers.)

Submitted: September 6, 1935. Decided: September 21, 1935.

Appearances:

J. B. Hunter, } for U. I. C. R. R. Co.

M. D. Baer, } for Bamberger Electric R. R. Company.

REPORT OF THE COMMISSION

By the Commission:

The above entitled application was filed with the Commission on August 26, 1935. Said matter came on regularly for hearing before the Commission at its office in Salt Lake City, Utah, on September 6, 1935, after due and legal notice given to interested parties. Proof of publication of Notice of Hearing was filed, and accepted as part of the record. There were no protests entered against granting the application.

From the admitted testimony, and the record and files in the case, the Commission now finds and reports as follows:

That applicant, The Utah Idaho Central Railroad Company, is a corporation organized under and existing by virtue of the laws of the State of Delaware, and authorized to do business in the State of Utah as a foreign corporation. Applicant is a common carrier of passengers and property by rail and motor bus with its main line of railroad running from Ogden, Utah, to Preston, Idaho, via Cache Valley, and its motor bus line running from Ogden, Utah, to Preston, Idaho, via the Sardine Canyon Route on U. S. Highway No. 91.

In the present application which is made on behalf of itself and the Bamberger Electric Railroad Company, (Julian M. Bamberger and Lahman E. Bower, Receivers) applicant seeks authority to make certain increases and certain reductions in round trip passenger fares, both local fares in the territory served by it, and joint fares in connection with the Bamberger Electric Railroad Company. Applicant alleges that at the present time experimental passenger fares are in effect which are based approximately on two cents per mile and will expire with September 30, 1935. Western carriers propose to extend said experimental fares for a period October 1, 1935, to and including March 30, 1936, and it is the intention of applicant to make a like extension in its passenger tariffs, both local and joint, with the Bamberger Electric Railroad Company, such fares generally resulting in reductions under the regular passenger fares effective prior to the experimental period beginning December 1, 1933. Applicant proposes to establish a basis of 180% of the one way fare for the round trip, with certain minor exceptions.

It is shown that all western steam carriers use this same basis of train fares in coaches, and it is the desire of applicant to make its fares uniform with those published by the Oregon Short Line Railroad Company serving the territory common and opposite to that of The Utah Idaho Central Railroad Company and Bamberger Electric Railroad Company.

At the hearing in this matter, applicant moved to amend its application in certain respects in order to remove departures from the Fourth Section of the Interstate Commerce Act. The application accordingly was amended, and the present findings are based on the amended application.

The increases in round trip fares contended for affect primarily the towns and localities located between Petersboro, Utah, and Lewiston, Utah. The primary reason for such increases to these points is that on August 10, 1932, applicant published fares based on three cents per mile with a round

trip fare based on 150% of the one way fare, but the mileage used in arriving at the fares under these rates was that via the Sardine Canyon, or Highway route which applicant's buses follow, instead of the route the railroad follows, the latter being a longer distance.

Again, on December 1, 1933, applicant, following action taken by the Western Passenger Association, published fares based on two cents a mile, using double the one way fare for the round trip. These fares are now in effect, but expire with September 30, 1935. Applicant desires to extend these fares, and establish a uniform basis of 180% of the one way fare for the round trip.

The testimony shows that not many people will be effected by the changes proposed in the passenger rate structure of this applicant. The adjustments consist more of a technical nature than anything else. The record shows, also, that applicant has attempted to regain and increase its passenger traffic by publishing excursion rates for various events and celebrations. Applicant publishes week end rates, and cent-a-mile Sunday rates, and has experimented in numerous ways to increase its passenger traffic. About 35% of applicant's passenger revenue accrues from school students and the present proposed rates will not affect this class of passengers in any way, nor will they affect patrons who use commutation tickets or mileage books.

After full consideration of the record in this case, and all matters and things involved, the Commission finds that the rates applicant proposes to publish and make effective October 1, 1935, are just and reasonable, and that applicant should be permitted to make publication of said rates on not less than five days' notice to the Commission and the public.

An appropriate order will follow.

(Signed) E. E. CORFMAN
THOMAS E. McKAY
JOS. S. SNOW
Commissioners.

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

ORDER

At at Session of the PUBLIC SERVICE COMMISSION OF UTAH, held at its office in Salt Lake City, Utah, on the 21st day of September, A. D., 1935.

CASE NO. 1801

In the Matter of the Application of THE UTAH IDAHO CENTRAL RAILROAD COMPANY, a Corporation, for permission to make certain increases and reductions in passenger fares, both local fares and joint fares with the BAMBERGER ELECTRIC RAILROAD COMPANY, (Julian M. Bamberger and Lahman E. Bower, Receivers.)

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 The Utah Idaho Central Railroad Company, a corporation, for permission to make certain increases and reductions in passenger fares, both local fares, and joint fares with the Bamberger Electric Railroad Company, (Julian M. Bamberger and Lahman E. Bower, Receivers), be, and the same is hereby granted.

ORDERED FURTHER, that applicant shall make publication of said rates on five days' notice to the Commission and to the Public.

By the Commission.

(Signed) THEODORE E. THAIN
Acting Secretary.

(Seal)

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1801

In the Matter of the Application of THE UTAH IDAHO CENTRAL RAILROAD COMPANY, a Corporation, for permission to make certain increases and reductions in passenger fares, both local fares and joint fares with the

BAMBERGER ELECTRIC RAILROAD COMPANY, (Julian M. Bamberger and Lahman E. Bower, Receivers.)

SUPPLEMENTAL ORDER OF THE COMMISSION

The Commission having, on the 21st day of September, 1935, made and entered its Order granting permission to The Utah Idaho Central Railroad Company to make certain increases and reductions in passenger fares, both local fares and joint fares with the Bamberger Electric Railroad Company to become effective on five days' notice;

NOW, THEREFORE, for good cause shown,

IT IS ORDERED that the effective date of said order, for the applicant, The Utah Idaho Central Railroad Company, to make publication of said rates applied for, shall be on three days' notice to the Commission and to the Public.

IT IS FURTHER ORDERED, that in all other respects the said order shall stand without modification.

By the Commission:

Dated at Salt Lake City, Utah, this 24th day of September, A. D., 1935.

(Signed) E. E. CORFMAN
THOMAS E. MCKAY
JOS. S. SNOW
Commissioners.

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

CASE NO. 1802

In the Matter of the Application of M. S. WYCOFF for a permit to operate as a contract motor carrier of property in intrastate commerce between Salt Lake City and Wellington, Utah, and Carbon County points, over and upon Highways Nos. 91 and 50.

Submitted: September 6, 1935. Decided: September 30, 1935.

Disposition: Contract Carrier Permit No. 123 issued authorizing applicant to operate as a contract motor carrier

transporting newspapers for the Salt Lake Telegram and the Deseret News Publishing Company, and motion picture films for the Littlejohn Theatres, Inc., and Strand Theatres, between Salt Lake City and Helper, Price, and Wellington, Utah, via U. S. Highways Nos. 91 and 50; the application to transport dairy products and ice cream for Mid-Western Dairy Products Company and drugs for Schramm Johnson Drug Company between Salt Lake City and Helper and Price, Utah, denied.

CASE NO. 1802

In the Matter of the Application of M. S. WYCOFF for a permit to operate as a contract motor carrier of property in intrastate commerce between Salt Lake City and Wellington, Utah, and Carbon County points, over and upon Highways Nos. 91 and 50. (Supplemental application to include transportation of films and accessories between Castlegate and Salt Lake City for the Bert Martin Theatre at Castlegate; and articles of clothing between Salt Lake City and Helper, Utah, for the Service Cleaners of Helper, Utah.)

Submitted: March 9, 1936.

Decided: March 26, 1936.

Disposition: Contract Carrier Permit No. 123 amended authorizing applicant to transport films and accessories between Salt Lake City and Castlegate for the Bert Martin Theatre, and payroll and other vouchers for the Mutual Coal Company at Mutual, Utah; supplemental application to transport articles of clothing between Salt Lake City and Helper for the Service Cleaners of Helper, Utah, denied.

CASE NO. 1803

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

(PENDING)

CASE NO. 1804

In the Matter of the Application of INLAND PACIFIC STAGES for a license to operate as a common motor car-

rier of passengers and light express between Salt Lake City, Utah, and the Wyoming-Utah State Line, via Highways Nos. U. S. 91, U-49, and 30-S. (Amended application.)

Submitted: May 4, 1936.

Decided: June 13, 1936.

Disposition: Interstate Carrier License No. 111 issued authorizing applicant to operate as a common motor carrier of passengers and light express between Salt Lake City, Utah, and the Utah-Wyoming State Line, via Highways Nos. U. S. 91 from Salt Lake City to Ogden, and U. S. 30--S from Ogden to the Utah-Wyoming State Line, and as an alternate route via U-49 (Farmington Cut-off route.)

CASE NO. 1805

In the Matter of the Application of JAMES O. CHILD for a certificate of convenience and necessity to operate as a common carrier of property and/or passengers between Price and Emery, Utah.

Submitted: October 4, 1935.

Decided: October 24, 1935.

Disposition: Certificate of Convenience and Necessity No. 447 issued authorizing applicant to operate as a common motor carrier of passengers and U. S. Mail between Price and Emery, Utah, including the Town of Cleveland, Utah, via Utah Highway No. 10 and a county road.

CASE NO. 1806

In the Matter of the Application of N. O. HENRIE BROS. TRUCKING COMPANY, a co-partnership, for a license to operate as a common motor carrier of property in interstate commerce between Salt Lake City and the Utah-Idaho State Line, via Highway No. 91 or Highway No. 30 enroute to Mackay, Idaho.

Submitted: October 4, 1935.

Decided: January 13, 1936.

Disposition: Interstate Carrier License No. 98 issued authorizing S. Nyal Henrie, J. E. Henrie, and Barton Henrie, a partnership, d/b/a N. O. Henrie Brothers Trucking Company, to operate as a common motor carrier of property in interstate commerce between Salt Lake City, Utah, and the Utah-Idaho State Line, via Highways Nos. U. S. 91, U. S. 30-S, and U-41.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1807

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to construct an underpass crossing of the Main Line Track of the Oregon Short Line Railroad Company on a relocation of State Highway U. S. 30-S, North of Brigham City in Box Elder County, Utah. Also, upon completion of the underpass, to close three existing grade crossings of the Malad Branch of the Oregon Short Line Railroad Company, situated in South Half of Section 11, Township 9 North, Range 2 West, within corporate limits of Brigham City and North of Sugar Factory.

Submitted: October 4, 1935.

Decided: November 9, 1935.

Appearances:

K. C. Wright, } for Applicant.

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

J. A. Howell, Attorney, } for U. I. C. R. R. Co.

REPORT OF THE COMMISSION

By the Commission:

The above entitled application of the State Road Commission of Utah was filed with the Public Service Commission on September 24, 1935. Said matter came on regularly for hearing before the Commission at its office in Salt Lake City, Utah, on October 4, 1935, after due and proper notice given to interested parties. Notice of hearing was published in a local newspaper having a general circulation in Box Elder County, Utah, and proof of publication of notice of hearing was filed and made a part of the record. There were no protests entered against the granting of the application.

From the testimony introduced on behalf of the respective parties, the Commission now finds:

That applicant, the State Road Commission of Utah, is an agent of the State of Utah duly authorized by law to construct, maintain, and supervise state roads. That applicant proposes to relocate, construct, and improve a section of State

Highway No. U. S. 30-S north and west of Brigham City, Box Elder County, Utah, and in connection with said improvements desires to construct an underpass crossing of the main line track of the Oregon Short Line Railroad Company, a common carrier of passengers and property by steam railroad, in the location shown on the blue-print attached to application and hereby expressly referred to and made a part hereof.

That the construction of the proposed underpass will be undertaken as a United States works project, the total cost of which will be borne by funds appropriated by the United States Government for the purpose of grade separations. That applicant, the State Road Commission of Utah, and the Oregon Short Line Railroad Company are now engaged in the formulation of an agreement for the construction of said underpass which agreement when complete and entered into will be submitted to this Commission for approval.

That at the present time United States Highway No. 30-S turns west at Sixth North Street in Brigham City and at a point further west just beyond the platted limits of the City of Brigham, the main line of the Oregon Short Line Railroad is crossed and at a point still further west and north the Malad Valley Branch of the same railroad is crossed. By reason of the proposed relocation of U. S. 30-S these particular crossings will no longer be situated on the main highway in this locality. The present crossings on U. S. 30-S, however, should be maintained in the future as public crossings for the use and benefit of people residing in and near the territory traversed by U. S. Highway No. 30-S west of Brigham City, Utah. Said crossings will, however, serve local traffic only after the reconstruction of U. S. Highway 30-S.

That the relocation of U. S. Highway No. 30-S will traverse what is known locally as First Lane, Second Lane, and Third Lane in Section 11 at a point northwest from the platted limits of Brigham City. These lanes are used almost entirely by people owning pasture and farm land on either side of the proposed relocation of said Highway U. S. 30-S. It is the opinion of the Commission that the crossings on the relocated highway at these points should be kept open and maintained as private crossings only.

That the construction of the proposed underpass on the relocated highway No. U. S. 30-S will be in the interest of public safety and will assist in the elimination of traffic haz-

ards usually encountered at open grade crossings, and that the application should be granted.

An appropriate order will follow:

(Signed) E. E. CORFMAN
THOMAS E. McKAY
JOS. S. SNOW
Commissioners

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

ORDER

At a Session of the PUBLIC SERVICE COMMISSION OF UTAH, held at its office in Salt Lake City, Utah, on the 9th day of November, 1935.

CASE NO. 1807

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to construct an underpass crossing of the Main Line Track of the Oregon Short Line Railroad Company on a relocation of State Highway U. S. 30-S, North of Brigham City in Box Elder County, Utah. Also, upon completion of the underpass, to close three existing grade crossings of the Malad Branch of the Oregon Short Line Railroad Company, situated in South Half of Section 11, Township 9 North, Range 2 West, within corporate limits of Brigham City, and North of Sugar Factory.

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 the State Road Commission of Utah for permission to construct an underpass crossing of the main line track of the Oregon Short Line Railroad on a relocation of state highway No. U. S. 30-S

north of Brigham City in Box Elder County, Utah, be, and the same is hereby granted.

ORDERED FURTHER, That the existing open grade crossing on U. S. Highway No. 30-S at a point just west of the platted limits of the City of Brigham and an existing open grade crossing at a point further west and north on said highway in Section No. 10 be kept open and maintained as public crossings.

ORDERED FURTHER, That upon completion of the underpass three grade crossings of the Malad Branch of the Oregon Short Line Railroad Company situated in the south half of Section 11, Township 9 North, Range 2 West, within the corporate limits of Brigham City, shall be kept open and maintained as private crossings only.

ORDERED FURTHER, That applicant shall submit to this Commission a copy of the agreement to be entered into between applicant and the Oregon Short Line Railroad Company covering terms of construction and maintenance of said proposed underpass.

ORDERED FURTHER, That the Public Service Commission retains full jurisdiction in the premises until said copy of said agreement is filed with the Commission and approved.

By the Commission.

(Signed) THEODORE E. THAIN

Acting Secretary

(Seal)

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1807

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to construct an underpass crossing of the Main Line Track of the Oregon Short Line Railroad Company on a relocation of State Highway U. S. 30-S, North of Brigham City in Box Elder County, Utah. Also, upon completion of the underpass, to close three existing grade crossings of the Malad Branch of the Oregon Short Line Railroad Company, situated in South Half of Section 11, Township 9 North, Range 2 West, within corporate limits of Brigham City and North of Sugar Factory.

SUPPLEMENTAL REPORT AND ORDER OF THE
COMMISSION

By the Commission:

On November 9, 1935, the Commission issued its Report and Order in the above entitled matter granting the application of the State Road Commission of Utah for permission to construct an underpass crossing of the main line track of the Oregon Short Line Railroad Company on a relocation of State Highway U. S. 30-S, north of Brigham City in Box Elder County, Utah. In said Report and Order the Commission ordered that the applicant should submit to the Commission a copy of the agreement when entered into between applicant and the Oregon Short Line Railroad Company covering terms of construction and maintenance of said proposed underpass crossing.

It now appearing that on January 27, 1936, said applicant filed with the Commission copy of said agreement between the State Road Commission of Utah and the Oregon Short Line Railroad Company, said agreement being made and entered into on December 6, 1935,

And the Commission now being fully advised in the premises, and said agreement appearing to be just and reasonable as between the respective parties,

IT IS HEREBY ORDERED, That the agreement entered into under date of December 6, 1935, by and between the State Road Commission of Utah, the applicant herein, and the Oregon Short Line Railroad Company, covering terms of construction and maintenance of an underpass crossing of the main line track of the Oregon Short Line Railroad Company on a relocation of State Highway U. S. 30-S, north of Brigham City in Box Elder County, Utah, be and the same is hereby approved.

Dated at Salt Lake City, Utah, this 23rd day of April, 1936.

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

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1808

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to construct an underpass crossing of the main line track of The Utah-Idaho Central Railroad Company on a relocation of State Highway U. S. 30-S, North of Brigham City, in Box Elder County, Utah.

Submitted: October 4, 1935.

Decided: November 9, 1935.

Appearances:

K. C. Wright, } for Applicant.

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

J. A. Howell, Attorney, } for U. I. C. R. R. Co.

REPORT OF THE COMMISSION

By the Commission:

Application in the above entitled matter was filed with the Commission on September 24, 1935. Said matter came on regularly for hearing before the Commission at its office in Salt Lake City, Utah, on October 4, 1935. Proof of publication of notice of hearing was filed with the Commission and accepted as part of the record. There were no protests, either oral or in writing, against granting the application.

From the testimony introduced and the record and files in the case, the Commission now finds and reports as follows:

That applicant, State Road Commission of Utah, is an agency of the State of Utah authorized by law to construct, maintain, and supervise state roads. That applicant proposes to relocate, construct and improve a section of state highway No. U. S. 30-S north and west of Brigham City, Box Elder County, Utah, and in connection with said improvements desires to construct an underpass crossing over the main line track of The Utah-Idaho Central Railroad Company in the location marked "Crossing A" on blue-print attached to application and hereby expressly referred to and made a part hereof.

That at the present time U. S. Highway No. 30-S turns

west at Sixth North Street in Brigham City and at Eighth North Street the main line of The Utah-Idaho Central Railroad is crossed. It is the purpose of applicant to relocate said highway and establish an underpass crossing in order to route through traffic through said proposed underpass crossing instead of over the present open grade crossing of The Utah-Idaho Central Railroad Company.

That the cost of construction of the proposed underpass crossing will be paid for out of funds appropriated under the Public Works Program Administration of the United States Government. The Utah Idaho Central Railroad Company will not be requested to participate in the cost of construction of said proposed underpass.

That the present grade crossing on U. S. Highway No. 30-S at Eighth North Street in Brigham City should be kept open as a public crossing after the underpass is completed, for the use and benefit especially of land owners and farmers who use the present route of U. S. Highway No. 30-S in going between Brigham City and their farms and lands west of Brigham City.

That applicant, State Road Commission of Utah, and The Utah Idaho Central Railroad Company are now engaged in the formulation of an agreement covering the cost of construction and maintenance of said underpass, which agreement when entered into and accepted by the two parties will be submitted to this Commission for approval. That the construction of the proposed underpass on the relocated highway No. U. S. 30-S will be in the public interest and will tend to reduce traffic hazards commonly encountered at open grade crossings, and that the application should be granted as applied for.

An appropriate order will follow.

(Signed) E. E. CORFMAN
THOMAS E. McKAY
JOS. S. SNOW
Commissioners.

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

ORDER

At a Session of the PUBLIC SERVICE COMMISSION OF UTAH, held at its office in Salt Lake City, Utah, on the 9th day of November, 1935.

CASE NO. 1808

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to construct an underpass crossing of the main line track of The Utah-Idaho Central Railroad Company on a relocation of State Highway U. S. 30-S, North of Brigham City, in Box Elder County, Utah.

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 the State Road Commission of Utah for permission to construct an underpass crossing of the main line track of The Utah Idaho Central Railroad Company on a relocation of state highway No. U. S. 30-S north of Brigham City in Box Elder County, Utah, be, and the same is hereby granted.

ORDERED FURTHER, That the existing open grade crossing situated on U. S. Highway No. 30-S at Eighth North Street in Brigham City, Utah, be kept open and maintained as a public crossing.

ORDERED FURTHER, That applicant shall submit to this Commission a copy of the agreement to be entered into between applicant and The Utah Idaho Central Railroad Company covering terms of construction and maintenance of said proposed underpass crossing.

ORDERED FURTHER, That the Public Service Commission retains full jurisdiction in the premises until said copy of said agreement is filed with the Commission and approved.

By the Commission.

(Signed) THEODORE E. THAIN

Acting Secretary.

(Seal)

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1808

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to construct an underpass crossing of the main line track of The Utah-Idaho Central Railroad Company on a relocation of State Highway U. S. 30-S, North of Brigham City, in Box Elder County, Utah.

SUPPLEMENTAL REPORT AND ORDER OF THE
COMMISSION

By the Commission:

On November 9, 1935, the Commission issued its Report and Order in the above entitled matter granting the application of the State Road Commission of Utah for permission to construct an underpass crossing of the main line track of The Utah-Idaho Central Railroad Company on a relocation of State Highway U. S. 30-S north of Brigham City, Box Elder County, Utah. In said Report and Order the Commission ordered that the applicant should submit to the Commission a copy of the agreement when entered into between applicant and The Utah-Idaho Central Railroad Company covering terms of construction and maintenance of said proposed underpass crossing.

It now appearing that on December 23, 1935, said applicant filed with the Commission copy of said agreement between the State Road Commission of Utah and The Utah-Idaho Central Railroad Company, said agreement being made and entered into on December 4, 1935,

And the Commission now being fully advised in the premises, and said agreement appearing to be just and reasonable as between the respective parties,

IT IS HEREBY ORDERED, That the agreement entered into under date of December 4, 1935, by and between the State Road Commission of Utah, the applicant herein, and The Utah-Idaho Central Railroad Company covering terms of construction and maintenance of an underpass crossing of the main line track of The Utah-Idaho Central Railroad Company on a relocation of State Highway U. S. 30-S north of Brigham

City in Box Elder County, Utah, be, and the same is hereby approved.

Dated at Salt Lake City, Utah, this 23rd day of April, 1936.

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

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1809

In the Matter of the Application of BURLINGTON TRANSPORTATION COMPANY for a license to operate as a common carrier of passengers, baggage, mail, and express in interstate commerce between Salt Lake City, Utah, and the Utah-Nevada State Line via U. S. Highway No. 40.

Submitted: November 6, 1935. Decided: December 31, 1935.

Appearances:

J. L. Rice and Athol Rawlins }
of Ingebretsen, Ray, Raw- } for the Applicant.
lins & Christensen, Attys. }

Robert L. Judd of Bagley, } for the Southern Pacific Com-
Judd, and Ray, Attorneys, } pany and Pacific Greyhound
} Lines, Inc.

John D. Rice, Chief Deputy }
Attorney General, } for the State of Utah.

REPORT AND ORDER OF THE COMMISSION

By the Commission:

On the 26th day of September, 1935, the Burlington Transportation Company, a corporation duly organized and existing

under the laws of the State of Illinois with its principal office and place of business at 547 West Jackson Boulevard, Chicago, Illinois, and duly qualified to do business in the State of Utah, filed an application with this Commission for a license to operate motor vehicles as a common carrier for the transportation of passengers, baggage, mail and express in interstate commerce over U. S. Highway No. 40 between Salt Lake City, Utah, and the Utah-Nevada State Line. Said application is made under the provisions of Chapter 53, Laws of Utah, 1933. Accompanying the application is a financial statement showing that the applicant is possessed of assets amounting to \$1,298,962.54; also a statement of the number and a description of the kind and character of the motor cars or equipment the applicant proposes to use in rendering service in interstate commerce over the highways of the state, together with its time schedules and local tariff, and its rules and regulations governing the same, all in conformity with the provisions and the requirements of said Chapter 53.

That upon the applicant's meeting the requirements of said Chapter 53, Laws of Utah, 1933, including the filing of the necessary liability insurance and bonds, pending the hearing upon said application for a license, and beginning on the 29th day of September, 1935, we have since issued to the applicant temporary permits to use said U. S. Highway No. 91 in its interstate operations which have continued to the date of this report.

Section 8 of Article 2 of Chapter 53, Laws of Utah, 1933, provides:

"It shall be unlawful for any common motor carrier to operate as a carrier in interstate commerce within this state without first having obtained from the commission a license therefor. An application shall be made to the commission in writing giving full information concerning:

(a) The ownership, financial condition, equipment to be used and physical property of the applicant;

(b) The complete route over which the applicant desires to operate;

(c) The proposed schedules and/or time cards of the common motor carrier;

(d) Such other information as the commission may request

covering observance of state police regulations and payment of fees. Upon receipt of such application and the furnishing of such information and on compliance with the regulations set forth in this act and the payment of fees, the commission shall issue such carrier a license therefor."

It is the contention of the protestant, Southern Pacific Company, that the Federal Congress, by passage of the Motor Carrier Act of 1935, effective August 9, 1935, deprived this Commission of any jurisdiction it might have had under Chapter 53, Laws of Utah, 1933, to license a motor carrier in interstate commerce, to use the highways of the State.

We think the position taken by the protestant is untenable. The Utah Legislature in passing Section 8 of Article 2, Chapter 53, under the provisions of which applicant seeks a license to use the highways of the state, manifestly acted within its legislative powers. As we interpret the meaning of Section 8, above set forth, the basis of the legislative power sought to be exercised under it rests solely upon the right of a state to exercise a reasonable police control only over the use of the highways by common motor carriers while engaged in transporting persons and property in interstate commerce. The police powers of a state when exercised in the interest of public safety and the conservation of its own highways in a reasonable manner, cannot be successfully challenged by holding that the Federal Government having entered the transportation field in passing the Motor Carrier Act of 1935, thereby precludes the state from exercising the police powers that are inherent in every state.

The Utah Legislature has made it mandatory upon this Commission that we shall license common motor carriers in interstate commerce upon compliance with this statute. We find it in no way conflicts with the declared policy of the Congress as expressed in passing the 1935 Motor Carrier Act. In granting a license to motor carriers seeking to use the highways of the State in interstate commerce, we do not assume to regulate nor undertake to say they shall have the right to operate in interstate commerce; that is wholly within the province of the Interstate Commerce Commission to say. Nevertheless, we believe the police powers of the state should still be respected, and all such operators should be precluded from using the highways of the state until they have conformed therewith.

Upon the findings made, and the records and files of this case, and for the reasons stated we conclude the application

of Burlington Transportation Company herein should be granted.

An appropriate order will follow.

(Signed) E. E. CORFMAN
THOMAS E. McKAY
JOS. S. SNOW
Commissioners.

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

ORDER

At a Session of the PUBLIC SERVICE COMMISSION OF UTAH held at its office in Salt Lake City, Utah, on the 31st day of December, 1935.

CASE NO. 1809

In the Matter of the Application of BURLINGTON TRANSPORTATION COMPANY for a license to operate as a common carrier of passengers, baggage, mail, and express in interstate commerce between Salt Lake City, Utah, and the Utah-Nevada state line via U. S. Highway No. 40.

INTERSTATE CARRIER LICENSE NO. 99

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 and conclusions, which said report is hereby referred to and made a part hereof,

IT IS THEREFORE ORDERED, that the motion of Southern Pacific Company to dismiss the application of the Burlington Transportation Company for a license, for want of jurisdiction, be, and the same is hereby denied.

ORDERED FURTHER, that the Burlington Transportation Company be, and it is hereby licensed to use the highways of the State of Utah as a common motor carrier for the transportation of passengers, baggage, mail and express in interstate

commerce via U. S. Highway No. 40 between Salt Lake City, Utah, and the Utah-Nevada State Line.

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 Service 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) THEODORE E. THAIN

Acting Secretary.

(Seal)

CASE NO. 1810

In the Matter of the Application of the SALT LAKE TERMINAL COMPANY for an order authorizing a grade crossing.

Disposition: Grade Crossing Permit No. 174 issued October 29, 1935, authorizing applicant to construct, operate, and maintain a standard gauge railroad spur track over and across First West Street in Salt Lake City, Utah.

CASE NO. 1811

In the Matter of the Application of O. E. MONSON for a license to operate as a common motor carrier of property in interstate commerce between Salt Lake City and Utah-Wyoming Line, via Highways Nos. U. S. 530, 30-S, 91, U-51, and U-6.

Disposition: Order issued May 1, 1936, dismissing application without prejudice.

CASE NO. 1812

In the Matter of the Application of R. B. FITZGERALD for a permit to operate as a contract motor carrier of prop-

erty (newspapers) between Salt Lake City and Kamas, Utah, via Highway No. 40.

Submitted: October 31, 1935. Decided: December 3, 1935.

Disposition: Contract Carrier Permit No. 124 issued authorizing applicant to operate as a contract motor carrier of newspapers between Salt Lake City and Kamas, Utah, and intermediate towns of Oakley, Peoa, and other intermediate points along the highway, via U. S. Highway No. 40.

CASE NO. 1813

In the Matter of the Application of GLEN HEATON for a permit to operate as a contract motor carrier of property in intrastate commerce between Cedar City, Alton, and St. George, Utah, via Highways Nos. 91 and 14.

Disposition: Order issued June 18, 1936, dismissing application without prejudice.

CASE NO. 1814

MURRAY CITY, a Municipal Corporation, Plaintiff, vs. THE DENVER & RIO GRANDE WESTERN RAILROAD COMPANY, a Corporation, Defendant.

(PENDING)

CASE NO. 1815

In the Matter of the Application of UTAH POWER & LIGHT COMPANY for a certificate of convenience and necessity to exercise the rights and privileges conferred by franchise granted by Weber County, Utah.

Submitted: November 8, 1935. Decided: November 16, 1935.

Disposition: Certificate of Convenience and Necessity No. 448 issued authorizing applicant to exercise the rights and privileges conferred by franchise granted by Weber County, Utah.

CASE NO. 1816

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 track of The Denver and Rio Grande Western Railroad Company at Cliff in Emery County, Utah, with an underpass crossing.

(PENDING)

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH
CASE NO. 1817

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to construct an underpass crossing of the Provo Branch of the Los Angeles and Salt Lake Railroad Company on a relocation of State Highway No. U. S. 91, in Pleasant Grove, Utah County, Utah.

Submitted: November 25, 1935. Decided: February 27, 1936.

Appearances:

K. C. Wright, Esq., } For the Applicant.

R. B. Porter, Esq., } for the L. A. & S. L. R. R. Co.

REPORT OF THE COMMISSION

By the Commission:

The above entitled application of the State Road Commission of Utah was filed with the Commission on November 9, 1935. Said matter came on regularly for hearing before the Commission at its office in Salt Lake City on November 25, 1935, after due and proper notice given to interested parties. There were no protests entered against granting of the application.

From the record and files in the case and testimony introduced, the Commission now finds:

That applicant, the State Road Commission of Utah, is an agent of the State of Utah authorized by law to construct, maintain, and supervise state roads.

That applicant proposes to relocate, construct, and improve a section of state highway No. U. S. 91 within the city limits of Pleasant Grove, in Utah County, Utah, and in connection therewith desires to construct an underpass crossing of the main line track of the Provo branch of the Los Angeles & Salt Lake Railroad Company in the location as shown on blueprint attached to application and hereby expressly referred to and made a part hereof: that applicant proposes to maintain and keep open the present grade crossing as a crossing for local use.

That the proposed underpass crossing is to be constructed as a United States Work Project No. W. P. G. M. 124-C; that a contract was entered into under date of Dec. 3, 1935, between the Los Angeles & Salt Lake Railroad Company and the State

Road Commission of Utah covering the terms of construction and maintenance of said proposed underpass. That under the provisions of said contract the said proposed underpass is to be constructed in conformity with plans and specifications prepared by the State Road Commission of Utah and approved by the Los Angeles & Salt Lake Railroad Company; and that the entire cost of material furnished and labor performed in connection with the construction of said underpass and the realignment of trackage as provided for in said contract is to be borne by the State Road Commission of Utah.

The record shows that the State Road Commission has desired for some years to eliminate the present open grade crossing and substitute therefore an underpass crossing because of poor alignment and narrowness of the present road, and for the further reason that the traffic generally is congested at this point. By the construction of the proposed underpass, through traffic will miss the present open grade crossing and thereby reduce hazards usually encountered at open grade crossings. The record shows further that the existing crossing must remain open to allow an entrance to the business district of Pleasant Grove.

The Commission finds, therefore, that public convenience and necessity will be subserved by construction of the proposed underpass and that the construction of the same is in line with the present national program of grade crossing eliminations; that the plans and specifications as agreed upon by the applicant and the Railroad Company, which plans and specifications are hereby expressly referred to and made a part hereof, are proper; that the contract entered into between the Los Angeles & Salt Lake Railroad Company and the State Road Commission of Utah covering construction of said proposed underpass is reasonable and proper and that the application should be granted and the contract approved.

An appropriate order will follow.

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

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

At a Session of the PUBLIC SERVICE COMMISSION OF UTAH, held at its office in Salt Lake City, Utah, on the 27th day of February, 1936.

CASE NO. 1817

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to construct an underpass crossing of the Provo Branch of the Los Angeles and Salt Lake Railroad Company on a relocation of State Highway No. U. S. 91, in Pleasant Grove, Utah County, Utah.

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 finding and conclusions, which said report is hereby referred to and made a part hereof,

IT IS ORDERED, That the application herein of the State Road Commission of Utah for permission to construct an underpass crossing of the Provo branch of the Los Angeles & Salt Lake Railroad Company on a relocation of State Highway No. U. S. 91 in Pleasant Grove, Utah County, Utah, be, and the same is hereby granted.

ORDERED FURTHER, That the contract entered into under date of December 3, 1935, between Los Angeles & Salt Lake Railroad Company and State Road Commission of Utah covering terms of construction and maintenance of said proposed underpass be, and the same is hereby approved, and that the construction of said proposed underpass should be in accordance with plans and specifications prepared by the State Road Commission of Utah and approved by the Los Angeles & Salt Lake Railroad Company.

ORDERED FURTHER, That the present existing grade crossing be kept open for local use.

By the Commission.

(Signed) THEODORE E. THAIN

Acting Secretary.

(Seal)

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1818

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to construct an underpass crossing of the Salt Lake and Utah Railroad Company on a relocation of State Highway No. U. S. 91 in Pleasant Grove, Utah County, Utah.

Submitted: November 25, 1935.

Decided: May 25, 1936.

Appearances:

K. C. Wright, } for the Applicant.

F. M. Orem, } for the S. L. & U. R. R. Company.

REPORT OF THE COMMISSION

By the Commission:

The above entitled application of the State Road Commission of Utah was filed with the Commission on November 9, 1935. The application came on regularly for hearing before the Commission at its office in Salt Lake City, Utah, on November 25, 1935, after due and legal notice given. There were no protests entered against granting of the application.

From the evidence introduced for and on behalf of the respective parties, the Commission now finds and reports as follows:

That applicant, the State Road Commission of Utah, is an agent of the State of Utah duly authorized by law to construct, maintain, and supervise state roads; that applicant desires to relocate, construct, and improve a section of state highway No. U. S. 91 within the city limits of Pleasant Grove, in Utah County, Utah, and in connection therewith proposes to construct an underpass crossing of the main line track of the Salt Lake and Utah Railroad Company in the location shown on blue print attached to application and hereby expressly referred to and made a part hereof. It is proposed that the present grade crossing situated within and near the western city limits of Pleasant Grove remain as a crossing for local use.

That the proposed underpass is to be constructed as a United States Works Project No. W. P. G. M. 124-C in accordance with regulations promulgated for United States Works Projects. and that the entire cost of the structure is to

be borne by the State Road Commission out of funds provided by the Federal Government for grade crossing separation work.

The record shows that the State Road Commission has desired for several years to eliminate entirely the existing crossing, but it is found that said crossing cannot be entirely eliminated. Said crossing will be kept open for the benefit of people entering or leaving the business district of Pleasant Grove. The proposed underpass will be used by through traffic.

That under date of February 10, 1936, an agreement was made and entered into by the State Road Commission of Utah and B. L. Ball, Receiver for the Salt Lake & Utah Railroad Company, covering terms of construction and maintenance, and lease of railroad right of way, of said proposed Pleasant Grove underpass. A copy of said agreement is on file with the Commission and is hereby expressly referred to and made a part hereof.

That the construction of said proposed underpass crossing will be in the public interest and in conformity with the present national and state program of grade crossing elimination, and that an agreement entered into by and between the State Road Commission of Utah and the Salt Lake & Utah Railroad Company covering lease of railroad right of way and construction and maintenance of said proposed underpass is just and reasonable as between the respective parties thereto and should be approved; and that the application herein should be granted.

An appropriate order will follow:

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

(Seal)

Attest:

(Signed) THEODORE E. THAUN, Acting Secretary.

ORDER

At a Session of the PUBLIC SERVICE COMMISSION OF UTAH, held at its office in Salt Lake City, Utah, on the 25th day of May, 1936.

CASE NO. 1818

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to construct an underpass crossing of the Salt Lake and Utah Railroad Company on a relocation of State Highway No. U. S. 91 in Pleasant Grove, Utah County, Utah.

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 the State Road Commission of Utah for permission to construct an underpass crossing of the Salt Lake and Utah Railroad Company on a relocation on state highway U. S. No. 91 in Pleasant Grove, Utah County, Utah, be, and the same is hereby, granted.

ORDERED FURTHER, That an agreement made and entered into on February 10, 1936, by and between the State Road Commission of Utah and B. L. Ball, Receiver for the Salt Lake and Utah Railroad Company, covering lease of railroad right of way and construction and maintenance of said Pleasant Grove underpass be, and the same is hereby, approved.

By the Commission.

(Signed) THEODORE E. THAIN
Acting Secretary.

(Seal)

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1819

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to construct, in place of the existing grade crossing, an overhead crossing of the double track main line of the Southern Pacific Com-

pany, south of Farr West, on Nye's Corner—Hot Springs Road in Weber County, Utah.

Submitted: December 2, 1935.

Decided: May 22, 1936.

Appearances:

M. Housecroft, Esq., } for Applicant.

A. H. Nebeker, Esq., } for Southern Pacific Company.

REPORT OF THE COMMISSION

By the Commission:

On November 13, 1935, the above entitled application was filed with the Commission by the State Road Commission of Utah. Said application came on regularly for hearing before the Commission at its office in Salt Lake City, Utah, on December 2, 1935, after due and legal notice given to interested parties. Proof of publication of notice of hearing was filed with the Commission. There were no protests against granting of the application.

From the testimony introduced on behalf of the respective parties, and the record and files in the case, the Commission now finds and reports as follows:

That the applicant, the State Road Commission of Utah, is an agent of the State of Utah duly authorized and empowered by law to construct, maintain, and supervise state roads, and to enter into all contracts with the United States Government for the purpose of carrying out the cooperation contemplated by the Federal Aid Road Act of July 11, 1916, and acts amendatory thereof and supplemental thereto.

That as a part of the state program for the elimination of crossings at grade, it is proposed to construct an overhead crossing of the double track main line of the Southern Pacific Company, south of Farr West on the Nye's corner — Hot Springs Road, a county road in Weber County, Utah, the location of which is more specifically shown on a blue print attached to application and hereby referred to and made a part hereof.

That it is proposed to construct said overhead crossing with federal funds as U. S. Works Program Grade Crossing Project No. W. P. G. S. 200, such construction to be in accordance with regulations promulgated for U. S. Works Program Projects.

That under date of January 17, 1936, an agreement was

entered into by and on behalf of the Central Pacific Railway Company, the Southern Pacific Company, the State Road Commission of Utah, and the County of Weber, State of Utah, covering lease of railroad right of way and construction and maintenance of an overhead crossing at the point under consideration herein. A copy of said agreement was filed with this Commission on April 13, 1936.

That the construction of said proposed overhead will be in the interest of public safety and will subserve the public convenience and necessity.

Now therefore, by reason of the premises, and the findings aforesaid, the conclusion is reached that the application should be granted, and that a certain agreement entered into on January 17, 1936, by and on behalf of the respective parties to this proceeding should be approved.

An appropriate order will follow.

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

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

ORDER

At a Session of the PUBLIC SERVICE COMMISSION OF UTAH, held at its office in Salt Lake City, Utah, on the 22nd day of May, 1936.

CASE NO. 1819

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to construct, in place of the existing grade crossing, an overhead crossing of the double track main line of the Southern Pacific Company, south of Farr West, on Nye's Corner—Hot Springs Road in Weber County, Utah.

This case being at issue upon application on file, and having been duly heard and submitted by the parties, and full in-

vestigation 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 the State Road Commission of Utah for permission to construct, in place of the existing grade crossing, an overhead crossing of the double track main line of the Southern Pacific Company south of Farr West on Nye's Corner, Hot Springs Road in Weber County, Utah, be, and the same is hereby, granted.

ORDERED FURTHER, That an agreement made and entered into on January 17, 1936, by and on behalf of the Central Pacific Railway Company, the Southern Pacific Company, the State Road Commission of Utah, and the County of Weber, State of Utah, covering lease of railroad right of way, and construction and maintenance of overhead at a point three miles south of Farr West—Nye's Corner—Hot Springs road in Weber County, Utah, be, and the same is hereby approved.

By the Commission.

(Signed) THEODORE E. THAIN

Acting Secretary.

(Seal)

CASE NO. 1820

In the Matter of the Application of F. C. CALHOUN, d/b/a CALHOUN TRANSPORTATION 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 Wyoming, via Highways Nos. 30-S, U-49. and 91.

Submitted: December 12, 1935. Decided: February 4, 1936.

Disposition: Interstate Carrier License No. 100 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-Wyoming State Line, via Highways Nos. U. S. 91, U-49, and U. S. 30-S.

CASE NO. 1821

In the Matter of the Application of T. M. SHACKELFORD for a license to operate as a contract motor carrier of prop-

erty in interstate commerce between Boise, Idaho, and Salt Lake City, Utah, via Highway U. S. 30-S.

Disposition: Order issued March 26, 1936, dismissing application without prejudice.

CASE NO. 1822

In the Matter of the Application of ARROW AUTO LINES for a permit to operate as a contract motor carrier of property in intrastate commerce between Carbon County and Salt Lake City, Utah, via Highways Nos. 50 and 91.

(PENDING)

CASE NO. 1823

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to create a grade crossing over the main line track of the Utah Railway Company at Springville, in Utah County, Utah.

(PENDING)

CASE NO. 1824

In the Matter of the Application of FRANK and I. CANOSO for a license to operate as a common motor carrier of property in interstate commerce between Kemmerer, Wyoming, and Salt Lake City, Utah, via Highways Nos. 30-S and U. S. 91.

Submitted: January 27, 1936.

Decided: April 8, 1936.

Disposition: Interstate Carrier License No. 103 issued authorizing applicants 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.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1825

In the Matter of the Application of THE STATE ROAD COMMISSION OF UTAH for permission to construct an overhead crossing of the main line track of the Los Angeles

and Salt Lake Railroad Company at Delta, in Millard County, Utah.

Submitted: January 2, 1936.

Decided: June 9, 1936.

Appearances:

K. C. Wright, Chief Engineer, } for Applicant.

Robert B. Porter, Attorney, } for Los Angeles and Salt
Lake RR. Company.

Richard S. Morrison, } for Protestants.

REPORT OF THE COMMISSION

By the Commission:

The above entitled application of the State Road Commission of Utah was filed with the Commission on December 4, 1935. Said application came on regularly for hearing before the Commission at its office in Salt Lake City, Utah, on December 27, 1935. Further hearing was held at Delta, Utah, on January 2, 1936. Due and proper notice was furnished interested parties on each hearing.

From the record and files in the case, the Commission now finds and reports as follows:

That applicant, the State Road Commission of Utah, is an agent of the State of Utah duly authorized by law to construct, maintain, and supervise state roads; that applicant proposes to relocate, construct, and improve certain highways at Delta, in Millard County, Utah, and in connection therewith seeks authority to construct an overhead crossing of the tracks of the Los Angeles and Salt Lake Railroad Company at Clark Street in Delta, Utah, in lieu of the existing grade crossing. The location of said proposed overhead crossing is shown on blue-print attached to application, which blue-print is hereby expressly referred to and made a part hereof.

Applicant proposes to construct said overhead crossing as U. S. Works Program Grade Crossing Project No. W. P. G. M. 204, and the funds for the construction of said project will be provided by the Federal Government out of funds set aside for grade crossing elimination purposes.

The proposed overhead crossing structure will be of sufficient width to provide clearance for the main line and one switching track of the Los Angeles and Salt Lake Railroad, and provision will be made for expansion of the structure in the

event the Railroad Company finds it necessary to construct additional trackage at said point in the future.

That the construction of said proposed overhead crossing will be in the interest of public safety and is in line with the present program of grade crossing eliminations made possible by Federal funds appropriated for said purpose.

That on June 2, 1936, said applicant filed with the Commission a copy of an agreement entered into on April 1, 1936, by and between the Los Angeles and Salt Lake Railroad Company, Union Pacific Railroad Company, and State Road Commission of Utah covering costs and terms of construction and maintenance of said overhead crossing, which said agreement is equitable and reasonable as between the respective parties thereto, and should be approved.

Now, therefore, by reason of the premises, and the findings aforesaid, the Commission concludes that the application herein should be granted, and that the State Road Commission of Utah should be permitted to construct an overhead crossing of the main line track of the Los Angeles and Salt Lake Railroad at Delta, in Millard County, Utah.

An appropriate order will follow.

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

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

ORDER

At a Session of the PUBLIC SERVICE COMMISSION OF UTAH, held at its office in Salt Lake City, Utah, on the 9th day of June, 1936.

CASE NO. 1825

In the Matter of the Application of THE STATE ROAD COMMISSION OF UTAH for permission to construct an overhead crossing of the main line track of the Los Angeles

and Salt Lake Railroad Company at Delta, in Millard County, Utah.

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 and conclusions, which said report is hereby referred to and made a part hereof,

IT IS ORDERED, That the application herein of the State Road Commission of Utah for permission to construct an overhead crossing of the main line track of the Los Angeles and Salt Lake Railroad at Delta, Millard County, Utah, be, and the same is hereby granted.

ORDERED FURTHER, That an agreement entered into on April 1, 1936, by and between the Los Angeles and Salt Lake Railroad Company, Union Pacific Railroad Company, and the State Road Commission of Utah covering the construction and maintenance of an overhead crossing of the main line track of the Los Angeles and Salt Lake Railroad at Delta, Millard County, Utah, be, and the same is hereby approved.

By the Commission.

(Signed) THEODORE E. THAIN
Acting Secretary.

(Seal)

CASE NO. 1826

In the Matter of the Application of NIELD BROS. TRANSFER COMPANY for a license to operate as a common motor carrier of property in interstate commerce between Ogden, Utah, and the Utah-Idaho State Line enroute to Montpelier, Idaho, via Highway No. 91.

Disposition: Order issued February 4, 1936, dismissing application without prejudice.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1827

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to relocate a grade

crossing of State Highway No. 26, over Tintic Branch of The Denver and Rio Grande Western Railroad Company, in Utah County.

Submitted: January 29, 1936.

Decided: May 25, 1936.

Appearances:

E. C. Knowlton, } for the Applicant.

B. R. Howell, } for The D. & R. G. W. R. R. Company.

REPORT OF THE COMMISSION

By the Commission:

The above entitled application of the State Road Commission of Utah was filed with the Commission on December 10, 1935. Said matter came on regularly for hearing before the Commission at its office in Salt Lake City, Utah, on January 29, 1936, after due and proper notice given to interested parties. Proof of publication of notice of hearing was filed with the Commission.

From the testimony introduced, and the record and files in the case, the Commission now finds and reports as follows:

That applicant, the State Road Commission of Utah, is an agency of the State of Utah authorized by law to construct, maintain, and supervise state roads;

That The Denver and Rio Grande Western Railroad Company is a common carrier by rail of passengers and property operating in and through the State of Utah. A branch of said railroad company's line known as the Tintic Branch in Utah County, Utah, crosses state highway No. 26 between Santaquin and Goshen, Utah.

That applicant desires to relocate, construct, and improve a portion of said state highway No. 26 between Santaquin and Goshen in Utah County, Utah, as U. S. Works Program Project No. W. P. S. S. 167. That in connection with said improvements, applicant proposes to abandon as a state highway the present grade crossing of the Tintic Branch of The Denver and Rio Grande Western Railroad Company on the north line of Section 4, T. 10 S., R. 1 E., and substitute in lieu thereof a crossing of said railroad in SE $\frac{1}{4}$ of Section 5, T. 10 S., R. 1 E., as shown on the print attached to application and hereby expressly referred to and made a part hereof. That the present crossing at grade is to be abandoned as a state highway, but is to be retained as a public thoroughfare for the benefit of

people residing near said crossing. That the cost of the road construction and of the crossing facilities is to be borne by the State Road Commission.

That on May 1, 1935, an agreement was filed with the Commission, entered into on March 25, 1936, by and between Wilson McCarthy and Henry Swan as trustees of the property of The Denver and Rio Grande Western Railroad Company, and the State Road Commission of Utah, covering terms and costs of construction and maintenance of the crossing in question.

That public convenience and necessity requires that a crossing at grade be created as applied for herein by reason of the relocation of Utah Highway No. 26, between Santaquin and Goshen in Utah County, Utah; that the agreement entered into under date of May 25, 1936, between the parties, is just and reasonable and should be approved; and that the application herein should be granted.

An appropriate order will follow.

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

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

ORDER

At a Session of the PUBLIC SERVICE COMMISSION OF UTAH, held at its office in Salt Lake City, Utah, on the 25th day of May, 1936.

CASE NO. 1827

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to relocate a grade crossing of State Highway No. 26, over Tintic Branch of The Denver and Rio Grande Western Railroad Company, in Utah County.

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 the State Road Commission of Utah for permission to relocate a grade crossing of State Highway No. 26, over the Tintic Branch of The Denver and Rio Grande Western Railroad Company in Utah County, Utah, at a point shown on the blue print attached to application, which blue print is hereby expressly referred to and made a part hereof, be, and the same is hereby granted.

ORDERED FURTHER, That an agreement made and entered into on March 25, 1936, by and between Wilson McCarthy and Henry Swan as Trustees of the property of The Denver and Rio Grande Western Railroad Company, and the State Road Commission of Utah, covering terms and costs of construction and maintenance of a grade crossing at Railroad Mile Post 19+04' on the Tintic Branch of the Denver and Rio Grande Western Railroad Company, be, and the same is hereby approved.

ORDERED FURTHER, That railroad crossing warning signs shall be installed and maintained at said crossing in conformity with the rules and regulations of this Commission heretofore prescribed.

By the Commission.

(Signed) THEODORE E. THAIN
Acting Secretary.

(Seal)

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1828

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for a public hearing relative to the establishment of an underpass crossing of The Denver and Rio Grande Western Railroad Company, an underpass crossing of the Utah Railway Company, and an overhead

crossing of the Salt Lake and Utah Railroad Company on Highway U. S. 91 at Springville, in Utah County.

Submitted: December 27, 1935.

Decided: May 25, 1936.

Appearances:

K. C. Wright,	} for Applicant.
M. Housecroft,	} for Applicant.
B. R. Howell, Attorney,	} for The D. & R. G. W. R. R. Co. } and Utah Railway Co.
Hugh Wilson,	} for The D. & R. G. W. R. R.
C. E. Beveridge,	} for Utah Railway Co.
H. W. Reiser,	} for Salt Lake & Utah R. R.

REPORT AND ORDER OF THE COMMISSION

By the Commission:

The above entitled application of the State Road Commission of Utah was filed with the Commission on December 16, 1935, and came on regularly for hearing before the Commission at its office in Salt Lake City, Utah, on December 27, 1935, after due and legal notice given to interested parties. Proof of publication of notice of hearing was filed with the Commission. There were no protests entered against granting of the application.

From the testimony adduced for and on behalf of the respective parties, the Commission now finds and reports as follows:

That applicant, the State Road Commission of Utah, is an agent of the State of Utah duly authorized by law to construct, maintain, and supervise state roads. That applicant has constructed an underpass crossing of The Denver and Rio Grande Western Railroad Company, an underpass crossing of the Utah Railway Company, and an overhead crossing of the Salt Lake and Utah Railroad Company on Highway No. U. S. 91 at Springville, in Utah County, Utah, which underpass crossings, and overhead crossing have been constructed as part of the present National and State program for grade crossing eliminations.

That on July 19, 1935, the State Road Commission of Utah filed with this Commission copy of an agreement made and entered into on June 17, 1935, by, and on behalf of the

State Road Commission of Utah, The Denver and Rio Grande Western Railroad Company, and the Utah Railway Company covering construction of Springville underpasses in Utah County, Utah; and on August 13, 1935, said State Road Commission of Utah filed with this Commission an agreement made and entered into on December 19, 1934, by and between D. P. Abercrombie, as Receiver for the Salt Lake and Utah Railroad Company, and the State Road Commission of Utah, covering Springville overhead in Utah County, Utah, said agreements, covering the terms and costs of construction and maintenance of said proposed underpass crossings and overhead crossing as between the applicant, State Road Commission of Utah, and the respective railroad companies.

That said agreements are now found to be just and reasonable with respect to the apportionment of costs of construction and maintenance between the respective parties thereto, and should be approved.

IT IS THEREFORE ORDERED, That a certain agreement made and entered into on June 17, 1935, by and on behalf of the State Road Commission of Utah, The Denver and Rio Grande Western Railroad Company, and the Utah Railway Company covering terms and costs of construction of Springville underpasses in Utah County, Utah, be, and the same is hereby, approved.

ORDERED FURTHER, That a certain agreement made and entered into on December 19, 1934, by and between D. P. Abercrombie, as Receiver of the Salt Lake and Utah Railroad Company, and the State Road Commission of Utah covering terms and costs of construction and maintenance of Springville overhead, Utah County, Utah, be, and the same is hereby, approved.

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

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

CASE NO. 1829

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to construct an over-

head crossing of the Park City Branch of the Union Pacific Railroad Company near Wanship, in Summit County.

(PENDING)

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1830

In the Matter of the Extension of ELECTRICAL SERVICE TO
PINECREST INN RESORT. (Application of Zions Securities Corporation.)

Submitted: January 28, 1936.

Decided: March 28, 1936.

Appearances:

Bagley, Judd & Ray, Attorneys, } for Applicant.

A. C. Inman, Attorney, } for Utah Power & Light Co.

Jos. G. Jeppson, } for Himself.

H. M. Lund, } for Himself.

REPORT AND ORDER OF THE COMMISSION

By the Commission:

On the 30th day of December, 1935, Zions Securities Corporation filed a petition with the Public Service Commission of Utah for approval of a proposed contract to be entered into by it with the Utah Power and Light Company with respect to extension of electrical service to Pinecrest Inn Resort situated in Emigration Canyon in Salt Lake County, Utah, together with stated terms which it alleges other users of electrical energy should comply with as a condition of being served by Utah Power and Light Company by means of the extension sought for by the Petitioner. No protests were made to the granting of the Order as applied for by Petitioner. The Power Company entered its appearance and joined in the petition.

Said matter came on regularly for hearing, after due notice given, at the office of the Commission at the State Capitol, Salt Lake City, Utah, on the 28th day of January, 1936, at which time and place evidence was adduced for and in behalf of the parties from which, together with the ad-

mitted facts as shown by files and record in the case, the Commission finds and reports as follows:

1. That Zions Securities Corporation is a corporation of the State of Utah, and among other things is the owner of certain lands and buildings comprising a hotel and resort, commonly known and called Pinecrest Inn, located at the head of Emigration Canyon, approximately eight miles east of Salt Lake City, Utah.

2. That Utah Power and Light Company is an electrical utility corporation doing business in the State of Utah and elsewhere, and as such is subject to the lawful jurisdiction and authority of the Public Service Commission of Utah; that said Power Company owns and operates an electrical generating, transmission, and distribution system for the service of its customers in Salt Lake City and vicinity, and elsewhere; but said Power Company has no lines or system extending in or up Emigration Canyon aforesaid, and there is no general or public utility electrical service available in said canyon, or to said Pinecrest Inn Resort.

3. That petitioner is desirous and is in need of electrical service at said Pinecrest Inn resort; that in said Emigration Canyon there are approximately 150 cabins or summer homes, and also a public resort known as Kelvin's Grove, all or most of which are located below or west of said Pinecrest Inn resort in said Canyon; that many persons owning said summer homes or residing therein may or will desire electrical service if and when the same is made available in Emigration Canyon; that the extension of electrical service to the property owners and residents in said canyon would be of great value and benefit to said residents and property owners therein.

4. That Utah Power and Light Company is willing to furnish electrical service to said Pinecrest Inn resort in accordance with its standard extension policy as set forth in Rule 12 of said Company's Rules and Regulations, as on file with, and heretofore approved by, this Commission; that pursuant to said Rule 12, the Power Company is willing to expend three times the amount of the guaranteed annual minimum bill for services to said Pinecrest Inn resort toward the construction of a power line, said line, when constructed, to be owned and operated by said Power Company as a part of its system, and to be constructed from the company's existing system in Salt Lake City, a distance of approximately eight miles up Emigration Canyon to Pinecrest; that petitioner is willing to guarantee to said Power Company annual

minimum bills for service to said Pinecrest Inn resort in the amount of \$600, and in accordance with said Rule 12 the Power Company is therefore willing to expend \$1,800.00 for the construction of said power line.

5. That petitioner has received a bid from a solvent and substantial construction company and desires to enter into a contract with said construction company for the construction of said power line for the sum and price of \$5,385.00, said line when constructed to be and become the property of, and thereafter to be maintained and operated by, Utah Power and Light Company; that the immediate cost to petitioner for constructing said line, after deducting the \$1,800.00 to be expended by the Power Company, will be \$3,585.00, which amount will be paid to contractor by petitioner as due; that sum will later be refunded to petitioner by the Power Company in accordance with and subject to the provisions of the company's Rule 12 of its Rules and Regulations by crediting petitioner with one-third of each monthly bill for electrical service to said Pinecrest Inn resort until the amount of such credits shall equal the said amount of \$3,585.00, and over a period of five years from the first date on which service is rendered to said Pinecrest Inn Resort, whichever event first occurs; except as petitioner may be otherwise reimbursed therefore by other consumers who desire to obtain service from said line if the same is constructed as proposed.

6. That if and when said power line is constructed and electrical service made available in Emigration Canyon at the cost to petitioner as hereinabove set out, the numerous cottage owners and the above mentioned resort known as Kelvin's Grove, desire and apply to the Power Company for electrical services from said power line, it would be unfair and discriminatory to petitioner under the circumstances hereinabove set forth, to permit other customers to obtain electrical service from said line, without first requiring them to, on some fair basis, reimburse petitioner through the Power Company for a fair share of the moneys expended by petitioner in constructing said power line.

7. That the net amount to be expended by petitioner for the construction of said line, less the \$1,800.00 to be expended by the Power Company, is \$3,585.00; that seventy-five is a fair estimate of the number of cottages or homes in said canyon which may or will desire and apply for service from said power line; and that under the present circumstances, and existing conditions, \$20.00 would be a fair amount to be contributed by each and all such applicants for such service;

that, assuming seventy-five persons promptly apply for service aforesaid, the total amount petitioner would be reimbursed on the above basis will be \$1,500.00, leaving a balance of \$2,085.00 which petitioner will have expended over and above all such refunds; that \$20.00, under existing conditions and circumstances, is a fair amount to be contributed by each and all persons located above Pinecrest Inn resort who may desire to extend said line and connect thereto for the purpose of receiving the service herein to be rendered available to Pinecrest Inn, for their cottages, by said proposed extension.

8. That Kelvin's Grove is a camping, dancing, and refreshment resort operated in said Emigration Canyon for commercial purposes; and therefore the Commission believes, and therefore finds, that if the proprietor of said Kelvin's Grove should apply for service from said proposed extended power line, under existing conditions and circumstances the owner or proprietor thereof should pay not less than three hundred dollars as a fair and appropriate amount for the reimbursement of Petitioner on the above and afore-mentioned basis, which would leave a balance \$1,785.00 which Petitioner will have expended over and above all refunds and reimbursements by other customers obtaining service from the said proposed line.

From the findings aforesaid, the Commission concludes and decides the application of Zions Securities Corporation herein should be granted.

An appropriate order will follow:

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

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

ORDER

At a Session of the PUBLIC SERVICE COMMISSION OF UTAH, held at its office in Salt Lake City, Utah, on the 28th day of March, 1936.

CASE NO. 1830

In the Matter of the Extension of ELECTRICAL SERVICE TO
PINECREST INN RESORT. (Application of Zions Securities Corporation.)

This matter 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 HEREBY ORDERED, That the petition of Zions Securities Corporation in the above-entitled matter be and the same is hereby granted; FURTHER ORDERED, That the accompanying petition of Utah Power and Light Company, be, and the same is hereby also granted, provided however;

That upon and after the construction by Zions Securities Corporation of an electric power line in Emigration Canyon to serve its Pinecrest Inn Resort, in Salt Lake County, Utah, future domestic customers desiring electrical service from said power line under present or existing conditions and circumstances shall be required to pay to Utah Power and Light Company for the use of and to reimburse said Zions Securities Corporation the amount of Twenty Dollars (\$20.00) each toward the construction costs of said line until one hundred (100) residential customers have been connected on said basis; that Kelvin's Grove resort, if it be connected under existing conditions and circumstances, be required to pay to Utah Power and Light Company for the use of and to reimburse Zions Securities Corporation the amount of Three Hundred Dollars, and other future commercial consumers a fair and proportionate amount to be agreed upon if possible between such consumers and petitioner, and failing in such agreement the amount to be referred formally by petition or application to this Commission for decision; FURTHER ORDERED, That Utah Power and Light Company shall not connect future residential or commercial customers to said power line until the reimbursements and payments hereinabove provided for or to be provided for future customers on petition or application have been made; provided, however, and FURTHER ORDERED, That the above requirements and reimbursements be limited to such period until Zions Securities Corporation shall have been fully reimbursed in such manner or by power billing refund discounts under existing Rule 12 of the Power Company's Rules and Regulations or otherwise, in the total amount of Three Thousand Five Hundred Eighty-five Dollars

\$3,585.00), and said requirements to expire in any event on December 31, 1940.

FURTHER ORDERED, that subject to the provisions hereinabove contained, Utah Power and Light Company shall connect future consumers to said power line upon compliance by said consumers with the Power Company's existing Rule 12 of its rules and regulations on file with this Commission; and the sum and amount of Forty-seven Dollars (\$47.00) is hereby fixed and approved as the average cost to the Power Company of connecting additional consumers to said power line, said sum of \$47.00 to be the basis under the Power Company's said Rule 12 for determining the advanced payment, if any, to be made by each consumer under said Rule 12 for connection to or service extension from said power line, which said advanced payment is separate from and in addition to the reimbursement payments herein required to be made to or for the benefit of Zions Securities Corporation. All payments made by prospective consumers for service from said power line as reimbursement to Zions Securities Corporation shall be made to Utah Power and Light Company, and shall thereafter, together with the advanced payments made to the Power Company as above provided, be refunded to said consumers in accordance with the provisions of the Power Company's said Rule 12, provided, however, that the total refunds made to any consumer by the Power Company shall not exceed one-third of such consumers' monthly service bills as and when paid by such consumer, and shall not extend beyond a period of five (5) years from the date such consumers' service is first connected, and shall be subject to the conditions and limitations contained in the Power Company's said Rule 12.

FURTHER ORDERED, that the rates to be charged by Utah Power and Light Company for service from said power line in Emigration Canyon shall be at all times its standard rates applicable to electrical service in Salt Lake County outside of Salt Lake City, as the same are now or may be hereafter on file with and approved by this Commission; provided, however, that Utah Power and Light Company be and it is hereby authorized to establish and charge, in connection with all of said rates, a minimum seasonal charge in the amount of Ten Dollars (\$10.00) from each residential consumer and Fifty Dollars (\$50.00) from each commercial consumer taking service from said power line in Emigration Canyon, Salt Lake County, Utah, and until the further order of this Commission.

FURTHER ORDERED, that the Public Service Commission hereby reserves unto itself the right and jurisdiction to hear

and pass upon the merits of the petition or application of anyone not a party to the proceedings herein who may or will hereafter desire electrical service by means of the extension line of the Power Company, as hereinbefore authorized, and upon proper showing made by such applicant or petitioner, that existing conditions and circumstances have changed, make and enter such order or orders as shall be deemed just and reasonable under the changed conditions and circumstances.

By the Commission.

(Signed) THEODORE E. THAIN

Acting Secretary.

(Seal)

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1831

In the Matter of the Application of UTAH POWER AND LIGHT COMPANY and HEBER LIGHT AND POWER PLANT for approval of Interchange Power Agreement.

Submitted: January 31, 1936.

Decided: April 23, 1936.

Appearances:

Geo. R. Corey, Attorney, } for the Applicant, U. P. & L. Co.

Geo. B. Stanley, Attorney, } for the Applicant, Heber L. & P. Plant.

REPORT AND ORDER OF THE COMMISSION

By the Commission:

The above entitled application of Utah Power & Light Company and Heber Light & Power Plant for approval of Interchange Power Agreement was filed with the Commission on December 31, 1935, and came on regularly for hearing before the Commission at its office in Salt Lake City, Utah, on January 31, 1936, 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. There were no protests entered against the granting of the application.

From the testimony of record adduced for and in behalf

of the respective parties, the Commission now finds and reports as follows:

That the Utah Power & Light Company is an electrical public service corporation organized and existing under and by virtue of the laws of the State of Maine and duly qualified to do business in the State of Utah as a foreign corporation to render electric light and power service to various sections and inhabitants of the State of Utah.

That Heber Light & Power Plant is a "creature of agreement" between the municipalities of Heber City, Midway, and Charleston, and owns and operates a certain hydro-electric power plant near Heber City in Wasatch County, Utah, and transmission and distribution lines extending from said plant to and within Heber City, Charleston, and Midway, and adjoining territory; in Heber Valley, where electricity generated in said plant is distributed and sold by said Heber Light & Power Plant.

That the installed capacity of said Heber Plant is in excess of the power requirements thereof and said plant is desirable of finding a market for the sale of such excess electrical energy, and also that said Heber Light & Power Plant desires to protect against service interruptions so as to provide the voltage frequency regulation for said Heber Light & Power Plant through the interchange, sale, and/or purchase of power; that Utah Power & Light Company is in a position through its interconnected system to absorb the surplus power generated at said Heber Light & Power Plant, and also is in a position to supply the latter named plant with additional electrical energy at times when the output of said Heber Light & Power Plant is insufficient or inadequate to supply the requirements of its patrons.

That, subject to the approval of this Commission, said Utah Power & Light Company and Heber Light & Power Plant have entered into an Interchange Power Agreement, a copy of which is attached to application and marked "Exhibit A," which said agreement is hereby specifically referred to and made a part hereof. Under the terms of such agreement, the parties agree to interchange, purchase, and/or sell electrical power or energy in accordance with the terms and provisions of said agreement; that the approval of said Interchange Power Agreement will be to the mutual advantage of the respective applicants, and also for the benefit of their respective customers, and that said agreement should be approved as prayed for.

Now therefore, by reason of the premises and findings aforesaid,

IT IS HEREBY ORDERED, That the certain agreement herein referred to as applicants' "Exhibit A" made and entered into on October 15, 1935, by and between Heber Light & Power Plant and the Utah Power & Light Company, the applicants herein, be, and the same is hereby approved.

(Signed) E. E. COREMAN
THOMAS E. McKAY
Commissioners.

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1832

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to reconstruct the underpass crossing of the tracks of the Bamberger Electric Railroad Company on State Road No. 49, at North Farmington, in Davis County, Utah.

Submitted: January 29, 1936. Decided: February 29, 1936.

Appearances:

E. C. Knowlton, } for the State Road Commission.
Julian M. Bamberger, } for Bamberger Electric R. R. Co.

REPORT OF THE COMMISSION

By the Commission:

The above entitled application of the State Road Commission of Utah was filed with the Public Service Commission on January 8, 1936, and came on regularly for hearing before the Commission on January 29, 1936, after due and legal notice given to interested parties. From the records and files in the case, the Commission now finds and reports as follows:

That applicant, State Road Commission of Utah, is an agent of the State of Utah, authorized by law to construct,

maintain, and supervise state roads. That at North Farmington Junction, in Davis County, Utah, State Road No. 49 crosses under the double track main line of the Bamberger Electric Railroad Company, (at a point designated as Railroad Engineers' Station 945+50) through an underpass structure of less than minimum requirement for horizontal clearance. That applicant proposes to relocate, construct, and improve a section of said State Road No. 49, and in connection therewith to construct as U. S. Works Program, Project No. W. P. G. S. 136-A, an underpass crossing of said railroad immediately north of the existing structure, and that applicant desires to close the present underpass structure upon completion of the new, proposed underpass crossing.

That applicant filed a blue-print showing the location of said state road No. 49 and the point of crossing thereon of the tracks of the said Bamberger Electric Railroad Company, and the point at which said proposed underpass is to be constructed, which said blue-print is hereby expressly referred to and made a part hereof.

That the existing underpass structure has only sixteen feet horizontal clearance, and that the new proposed structure will have forty feet horizontal clearance. That the traffic using State Highway No. 49 is increasing each year, said highway now having become an important highway for through traffic between Wyoming points and Salt Lake City, and also for local traffic between Weber County points and Salt Lake City.

That the State Road Commission of Utah, and the Bamberger Electric Railroad Company are preparing an agreement covering the costs and terms of construction and maintenance of said proposed underpass, which said agreement will be filed with this Commission when complete. The record shows that under the terms of the tentative agreement between the parties, the entire cost of construction of the underpass will be borne by the State Road Commission out of funds provided by the Federal Government for grade crossing elimination purposes. The maintenance of the track supporting structure, that is, the steel members and the ballast, rails, and ties is to be borne in the future by the Railroad Company, and the maintenance of the remainder of the structure including the right of way and abutments is to be borne in the future by the State Road Commission.

That the present underpass will be filled in and closed to highway traffic upon completion of the proposed new underpass for the reason that there will be no necessity for having two underpasses at the same point, the new underpass being approximately 70 feet from the present underpass.

NOW, THEREFORE, by reason of the premises and the findings aforesaid, the Commission concludes that the construction of the proposed underpass will be in the public interest, and in the interest of safety, and that the application should be granted authorizing applicant, the State Road Commission of Utah, to proceed with the construction of said proposed underpass crossing.

The Commission retains full jurisdiction in the matter until the agreement between the State Road Commission of Utah and the Bamberger Electric Railroad Company hereinabove referred to is filed with the Commission, and approved by it.

An appropriate order will follow.

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

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

ORDER

At a Session of the PUBLIC SERVICE COMMISSION OF UTAH, held at its office in Salt Lake City, Utah, on the 29th day of February, 1936.

CASE NO. 1832

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to reconstruct the underpass crossing of the tracks of the Bamberger Electric Railroad Company on State Road No. 49, at North Farmington, in Davis County, Utah.

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 the State Road Commission of Utah for permission to reconstruct the underpass crossing of the tracks of the Bamberger Electric Railroad Company on State Road No. 49, at North Farmington in Davis County, Utah, be, and the same is hereby granted.

ORDERED FURTHER, that the existing underpass structure, upon completion of the proposed structure, be filled in and abandoned.

ORDERED FURTHER, that this Commission retains full jurisdiction in the matter until the agreement between the State Road Commission of Utah and the Bamberger Electric Railroad Company now in course of preparation be filed with the Commission, and approved by it.

By the Commission.

(Signed) THEODORE E. THAIN

Acting Secretary.

(Seal)

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1832

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to reconstruct the underpass crossing of the tracks of the Bamberger Electric Railroad Company on State Road No. 49, at North Farmington, in Davis County, Utah.

SUPPLEMENTAL REPORT AND ORDER OF THE COMMISSION

By the Commission:

On February 29, 1936, the Commission issued its Report and Order in the above entitled matter granting the application of the State Road Commission of Utah for permission to reconstruct the underpass crossing of the tracks of the Bamberger Electric Railroad Company on State Road No. 49, at North Farmington, in Davis County, Utah. In said Report and Order the Commission retained jurisdiction in the premises until the filing and approval of an agreement between the State Road Commission of Utah and the Bamberger Elec-

tric Railroad Company, covering costs of construction and maintenance of said proposed underpass.

On April 27, 1936, the State Road Commission of Utah filed with this Commission copy of agreement between the State Road Commission of Utah and the Bamberger Electric Railroad Company covering lease of railroad right of way and construction and maintenance of said underpass, which said agreement is hereby expressly referred to and made a part hereof. The Commission now finds that said agreement is just and reasonable as between the two parties.

And the Commission now being fully advised in the premises,

IT IS HEREBY ORDERED, That the said agreement between the State Road Commission of Utah and the Bamberger Electric Railroad Company, made and entered into on the 17th day of April, 1936, covering lease of railroad right of way and construction and maintenance of North Farmington underpass (Project No. W-P-G-M 136-A), be, and the same is hereby approved.

Dated at Salt Lake City, Utah, this 5th day of May, A. D. 1936.

By the Commission.

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

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

CASE NO. 1833

In the Matter of the Application of INTERSTATE TRANSIT LINES, a corporation, to operate a passenger, express and mail automobile service between Cedar City and Desert Mound, Utah.

Submitted: January 27, 1936. Decided: February 3, 1936.

Disposition: Certificate of Convenience and Necessity No. 449 issued authorizing applicant to operate as a common motor carrier of passengers, express, and mail between Cedar City and Desert Mound, Utah.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1834

In the Matter of the Application of UTAH POWER & LIGHT COMPANY for a Certificate of Convenience and Necessity to construct, maintain and operate a steam-electric generating station in Utah County, State of Utah.

Submitted: January 28, 1936. Decided: February 6, 1936.

Appearances:

Geo. R. Corey, Attorney, } for Applicant.

Heber J. Sears, } for Himself.

REPORT OF THE COMMISSION

By the Commission:

On the 17th day of January, 1936, the Utah Power and Light Company filed with the Public Service Commission of Utah a petition for a Certificate of Convenience and Necessity authorizing it to construct, maintain, and operate a steam electric generating station at or near its Olmsted Plant in Utah County, Utah.

Said petition, among other things, sets forth that the petitioner is the owner of extensive hydro electric generating plants and transmission and distribution systems in the State of Utah; that it has property in Utah of an assessed value in excess of \$15,000,000.00, and is possessed of the financial resources required for the purpose of its application; that the demands for electrical energy of petitioner's customers and the public served by its interconnected power system within the next year will exceed the supply available from its present power sources; that in order to meet the existing and growing demand of its customers and the public, it becomes necessary to construct the plant or station now petitioned for; that petitioner is lawfully rendering electrical service in Utah County under a franchise granted by said county February 5, 1917, which expires May 1, 1966; that petitioner has secured or will secure from the county authorities such authorization or building permits as are required by law or county ordinance; that the total cost of construction of said steam generating plant will be approximately \$1,600,000.00; that the petitioner is a corporation duly organized under the laws of the State of Maine, and has complied with the provisions of the laws of the State of Utah with respect to foreign corporations doing business within the state.

Said petition came on regularly for hearing before this Commission, after due notice given, on the 28th day of January, 1936, at the office of the Commission, State Capitol, Salt Lake City, Utah. No protests nor any objection whatever was filed or made to the granting of the petition. From the records and files in the case, and from the evidence introduced for and in behalf of the petitioner, all of which are hereby referred to and made a part hereof, the Commission finds as follows:

That the petitioner is a foreign corporation duly qualified and authorized to do business as such in the State of Utah; that petitioner is now and for many years last past has been the owner and operator of many hydro electric and steam electric generating plants with transmission lines, interconnected, serving the public and many Utah industries with electrical energy for lighting, heating, power and general purposes. That the power system of the petitioner comprises electric generating stations and transmission lines established, not only in the State of Utah, but also in neighboring adjoining states.

That in order to serve the needs and convenience of petitioner's patrons with electrical energy for general use at the present time, and in order to adequately provide for future growth and demands for service, it becomes necessary for the petitioner to construct, operate, and maintain an additional generating plant or station. That in order to meet the requirements of the public, and to better subserve the needs and convenience of petitioner's patrons, the construction of an electric steam generating plant, as petitioned for by the petitioner, in the immediate vicinity of its Olmsted Plant on the Provo River in Utah County, State of Utah, to be known as the Provo Steam Electric Station with a generating capacity of 15,000 kilowatts, becomes necessary.

That the total cost of such a plant as petitioned for will be approximately \$1,600,000.00. That when constructed as proposed by petitioner, it will deliver 18,850 kilowatts, and will be of the most modern and efficient type of steam electric generating plant. The petitioner proposes to let the construction of the same to the lowest responsible bidders, bidding to be competitive, the construction work to begin at once. That when said plant is constructed and placed in operation, it will enable the petitioner to more efficiently and economically serve its Utah patrons, more especially in the territory tributary thereto.

From the foregoing findings, and from the records and files in the case, all of which are hereby referred to and made a part hereof, the Commission concludes and decides that the

petition of the Utah Power and Light Company to construct the steam electric generating station applied for in its petition herein should be granted.

An appropriate order will follow.

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

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

ORDER

At a Session of the PUBLIC SERVICE COMMISSION OF UTAH held at its office in Salt Lake City, Utah, on the 6th day of February, 1936.

CASE NO. 1834

In the Matter of the Application of UTAH POWER & LIGHT COMPANY for a Certificate of Convenience and Necessity to construct, maintain and operate a steam-electric generating station in Utah County, State of Utah.

CERTIFICATE OF CONVENIENCE AND NECESSITY

No. 450.

This matter being at issue upon petition on file, and full investigation of the matters and things involved having been made, and the Commission having on the date hereof, made and filed a report containing its findings which report is hereby referred to and made a part hereof:

IT IS ORDERED, That the petition be granted, and petitioner, Utah Power and Light Company, be, and it is hereby authorized to construct, maintain and operate a steam electric generating plant or station, (Provo Steam Electric Station) on the Provo River at or near petitioner's Olmsted Hydro Electric Plant in Utah County, State of Utah, and this shall be its authority therefor.

ORDERED FURTHER, That in the construction of such

steam plant the same shall be let to the lowest responsible bidders, the bidding therefor to be competitive.

ORDERED FURTHER, That in the construction, maintenance, and operation of such steam electric generating station, the petitioner, Utah Power & Light Company, shall conform to the statutes of the State of Utah, and to the rules and regulations of the Commission.

ORDERED FURTHER, That construction of said generating station be commenced and proceeded with, without any unnecessary delay.

By the Commission.

(Signed) THEODORE E. THAIN

Acting Secretary.

(Seal)

CASE NO. 1835

In the Matter of the Application of RISS AND COMPANY, INC., for a license to operate as a common motor carrier of property in interstate commerce via the following routes:

ROUTE No. 1: From Utah-Colorado Line to Ogden, Utah, via U. S. Highway No. 50, U. S. 89, Utah 8, and U. S. 91.

ROUTE No. 2: From Utah-Wyoming Line to Salt Lake City, via U. S. 30-S, U. S. 530, and U. S. 40.

ROUTE No. 3: From Utah-Wyoming Line to Ogden, Utah, via U. S. 30-S.

Submitted: January 27, 1936. Decided: February, 14, 1936.

Disposition: Interstate Carrier License No. 101 issued authorizing applicant to operate as a common motor carrier of property over the following described routes within the State of Utah:

ROUTE No. 1: From the Utah-Colorado State Line to Ogden, Utah, via U. S. Highway No. 50 to Thistle, Utah; U. S. Highway No. 50, U. S. Highway No. 89, and Utah Highway No. 8 from Thistle to Provo (alternate routes via either Spanish Fork or Mapleton) and via U. S. Highway No. 91 from Provo to Ogden, Utah.

ROUTE No. 2: From the Utah-Wyoming State Line to Salt Lake City via U. S. Highway No. 30-S from the Utah-

Wyoming Line to Echo Junction, via U. S. Highway No. 530 from Echo Junction to Kimball's Junction, and via U. S. Highway No. 40 from Kimball's Junction to Salt Lake City, Utah.

ROUTE No. 3: From the Utah-Wyoming State Line to Ogden, Utah, via U. S. Highway No. 30-S.

CASE NO. 1836

In the Matter of the Application of MONTANA PACIFIC TRANSPORT, INC. to discontinue operations of a motor freight truck line between Salt Lake City, Utah, and the Utah-Idaho State Line in interstate commerce under Interstate Carrier License No. 49, and of W. W. McCann to assume said operations.

Submitted: February 13, 1936.

Decided: April 10, 1936.

Disposition: Interstate Carrier License No. 49 previously issued to Montana Pacific Transport, Inc. cancelled and Interstate Carrier License No. 104 issued authorizing W. W. McCann to operate as a common motor carrier of property in interstate commerce between Salt Lake City, Utah and the Utah-Idaho State Line, via Highways Nos. U. S. 91, U-41, and U. S. 30-S.

CASE NO. 1837

In the Matter of the Application of I. SANDER for a permit to operate as a contract motor carrier of property between Provo and Vernal, Utah, via Highway No. 40.

(PENDING)

CASE NO. 1838

In the Matter of the Application of M. R. CAMERON and GARTH CAMERON for a certificate of convenience and necessity to operate as a common motor carrier of property between Salt Lake City, Utah, and Kanab, Escalante, and Henrieville, via U. S. Highway No. 91, U-28, U. S. 89, U-22 and U-54, serving the intermediate points of Junction, Circleville, Panguitch, Hatch, Glendale, Orderville, Mt. Carmel, Mt. Carmel Junction, Kanab, Kingston, Antimony, Widtsoe, Escalante, Ruby's Inn, Tropic, Cannonville, and Henrieville, Utah.

Submitted: March 11, 1936.

Decided: March 27, 1936.

Disposition: Certificate of Convenience and Necessity

No. 451 issued on March 27, 1936; supplemental order issued on April 1, 1936; and a further supplemental order issued on April 6, 1936, setting forth the route over which applicants may operate. The supplemental order dated April 6, 1936, provides that said applicants may operate as a common motor carrier of property in intrastate commerce over the following described routes:

Between Salt Lake City and Panguitch, Utah, via Highways Nos. U. S. 91, U-28, and U. S. 89, excluding all local service between Salt Lake City and Marysvale and intermediate points, but including local service to all intermediate points between Marysvale and Panguitch; and local service between Marysvale and all intermediate points between Marysvale and Panguitch via U. S. 89,

And also between Salt Lake City and Kingston, Antimony, Asoris, Widtsoe, Escalante, and Ruby's Inn, via Highways U. S. 91, U-28, U. S. 89, U-22, U-23, and U-12, excluding all local service between Salt Lake City and Marysvale and intermediate points; and between Marysvale and Kingston, Antimony, Asoris, Widtsoe, Escalante, and Ruby's Inn, via Highways U. S. 89, U-22, U-23, and U-12.

CASE NO. 1839

In the Matter of the Application of FULLER-TOPONCE TRUCK COMPANY for a certificate of convenience and necessity to operate as a common motor carrier of property in intrastate commerce between Salt Lake City, Utah, and the Utah-Idaho State Line over and upon Highways Nos. U. S. 91 and Utah State 101 and 61 serving the intermediate points of North Ogden, Pleasant View, Willard, Perry, Brigham, Mantua, Wellsville, Hyrum, Millville, Providence, Logan, North Logan, Hyde Park, Smithfield, Richmond, Lewiston, and also between all points on U. S. 91 and Utah State 101 and 61 and all points on U. S. No. 30-S (Brigham to Tremonton) and on Utah State No. 41 between Tremonton and Utah-Idaho State Line.

(PENDING)

CASE NO. 1840

In the Matter of the Application of WILFORD FLUCKIGER for a license to operate as a common motor carrier of

property between Star Valley, Wyoming and Salt Lake City, Utah, via Highways Nos. 91, 3, 30-S, and 89.

Submitted: April 10, 1936

Decided: June 12, 1936

Disposition: Interstate Carrier License No. 106 issued authorizing applicant to operate as a common motor carrier of property between the Utah-Wyoming State Line and Salt Lake City, Utah, via the following described route:

From Utah-Wyoming State Line to Randolph, Utah, via U. S. 89; from Randolph, Utah, to Ogden, via U. S. 89 and U. S. 30-S; from Ogden to Salt Lake City, via U. S. 91.

CASE NO. 1841

In the Matter of the Application of R. A. COLLETT for a permit to operate as a contract motor carrier of property in intrastate commerce between Park Valley, Utah, Kelton, and Salt Lake City, Utah, via Highways Nos. 83, 70, 30-S, 91, and county roads.

Disposition: Order issued March 18, 1936 denying and dismissing application.

CASE NO. 1842

In the Matter of the Application of GARRETT TRANSFER AND STORAGE CO., INC., for authority to consolidate its operating licenses in Utah under one license.

Disposition: Order issued March 28, 1936, dismissing application without prejudice.

CASE NO. 1843

In the Matter of the Application of 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 Sunset, Davis County, Utah.

Submitted: April 9, 1936.

Decided: April 23, 1936.

Disposition: Certificate of Convenience and Necessity No. 452 issued authorizing applicant to exercise the rights and privileges conferred by franchise granted by the Town of Sunset, Davis County, Utah.

CASE NO. 1844

In the Matter of the Application of OSMOND C. HANSEN, d.b.a. WASATCH TRUCKING COMPANY, for a permit to operate as a contract motor carrier of property including gilsonite between Pariette Mine and Heber City, Utah, via Highway No. 40.

Submitted: April 10, 1936.

Decided: June 8, 1936.

Disposition: Contract Carrier Permit No. 131 issued authorizing applicant to operate as a contract motor carrier in intrastate commerce for the transportation of gilsonite and other property for the Pariette Gilsonite Company between the Pariette Gilsonite Company Mine (situated at a point off U. S. Highway No. 40 near Myton, Utah) and Heber City, Utah, via a county or other road and U. S. Highway No. 40.

CASE NO. 1845

In the Matter of the Application of I. A. TAYLOR for a license to operate as a common motor carrier of property between Utah-Idaho State Line and Utah-Wyoming State Line, via Highways Nos. 91 and 30-S.

(PENDING)

CASE NO. 1846

In the Matter of the Application of the TOWN OF MOAB, GRAND COUNTY, UTAH, a municipal corporation, for permission to sell water to residents outside of the boundaries of Moab.

(PENDING)

CASE NO. 1847

In the Matter of Application of WILSON J. SMITH for a permit to operate as a contract motor carrier of property in intrastate commerce between Lark, Utah, and Butterfield Canyon and Bingham Canyon, over and upon Highway No. 48.

(PENDING)

CASE NO. 1848

In the Matter of Application of J. CLAUD HICKEN & SON for a certificate of convenience and necessity to operate as a common motor carrier of property in intrastate com-

merce between Salt Lake City, Provo, and Heber City, Utah, over and upon Highways Nos. 91, 89, and 40, serving the intermediate points of Charleston and Midway, Utah.

(PENDING)

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1849

In the Matter of the Application of GEORGE A. SIMS and MILTON K. SIMS doing business as the SALT LAKE TRANSFER COMPANY for a permit to operate as a contract motor carrier of property in intrastate commerce.

It appearing from the application on file in this matter, that the applicant was on March 15, 1933, and had been for a period of forty years prior thereto, engaged in the business of a contract carrier, and that since the advent of motor transportation, the applicant has been a contract motor carrier as defined by statute, operating over all of the highways of the State of Utah, and it further appearing that since March 15, 1933, applicant has been operating over all of the highways of the State of Utah on temporary permits, and that in each of the later cases, applicant has obtained a permit for such trip and has constantly maintained with the Commission the insurance required by statute and has paid all ton-mile taxes and all license fees,

And it further appearing that applicant has been engaged in hauling on the highways of the state all types of merchandise, machinery, and material,

And it further appearing from an investigation of the records of this Commission that some of the permits issued to the applicant are as set forth in paragraph 8-b of the application,

And it further appearing to the Commission that applicant is a contract motor carrier as defined in Chapter 65 of the Session Laws of Utah, 1935, and that applicant is one of those contract motor carriers referred to in the first paragraph of Section 9 of the said Chapter, and that due and legal proof has been submitted to this Commission by the applicant of these facts,

NOW, THEREFORE, IT IS ORDERED:

That George A. Sims and Milton K. Sims, a co-partnership, d/b/a Salt Lake Transfer Company, be, and they are hereby granted CONTRACT CARRIER PERMIT NO. 125 authorizing them to operate over all of the highways of the State of Utah as a contract motor carrier of such merchandise, machinery and materials as they may have occasion to carry in the course of their business.

And, it is further ordered, that applicant shall maintain on file with the Commission the necessary insurance and bonds as required by law and that applicant shall at all times operate in accordance with the Statutes of the State of Utah and the rules and regulations required by the Public Service Commission of Utah, governing the operation of contract motor carriers over the public highways of the State of Utah, and this order shall be, and is their authority therefor.

Dated at Salt Lake City, Utah, this 3rd day of April, 1936.

PUBLIC SERVICE COMMISSION OF UTAH

By (Signed) THEODORE E. THAIN,
Acting Secretary.

CASE NO. 1849

In the Matter of the Application of GEORGE A. SIMS and MILTON K. SIMS, doing business as the SALT LAKE TRANSFER COMPANY, for a permit to operate as a contract motor carrier of property in intrastate commerce. (Petitions for Reconsideration and Rehearing.)

Disposition: Orders issued on May 11, 1936, denying the respective applications of Salt Lake & Utah Railroad Company, B. L. Ball, Receiver; Railway Express Agency, a corporation; Julian M. Bamberger and Lahman V. Bower, Receivers of the Bamberger Electric Railroad Company, a corporation; Salt Lake & Ogden Transportation Company, a corporation; Joseph J. Milne Truck Line, Inc., a corporation; Moab Garage Company, a corporation; Sterling Transportation Company, a corporation; The Utah-Idaho Central Railroad Company, a corporation; Fuller-Toponce Truck Company, a corporation; Union Pacific Railroad Company, a corporation; and Wilson McCarthy and Henry Swan, Trustees of The Denver and Rio Grande Western Railroad Company; and the Rio Grande Motor Way, Inc., a corporation, for reconsideration and rehearing in said matter.

CASE NO. 1850

In the Matter of the Application of E. R. JOHNSON for a license to operate as a common motor carrier of property in interstate commerce between the Utah-Idaho State Line and Salt Lake City, Utah, enroute to and from Twin Falls, Idaho, via Highways Nos. 30-S and 91.

Submitted: April 24, 1936.

Decided: June 9, 1936.

Disposition: Interstate Carrier License No. 110 issued authorizing applicant to operate as a common motor carrier of property in interstate commerce between the Utah-Idaho State Line and Salt Lake City, Utah, via Highways Nos. U. S. 30-S and U. S. 91.

CASE NO. 1851

In the Matter of the Application of L. E. COWLES and F. J. MUNSON for a permit to operate as contract motor carriers of property in intrastate commerce between Salt Lake City and Escalante and from Escalante to Marysville, Utah, via Highways Nos. 91, 89, 22, and 23.

Disposition: Order issued May 27, 1936, dismissing application without prejudice.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1852

In the Matter of the Application of JOSEPH ANDREW MOLLERUP, d/b/a MOLLERUP MOVING AND STORAGE CO. for a permit to operate as a contract motor carrier of property in intrastate commerce.

ORDER

It appearing from the application on file in this matter that Joseph Andrew Mollerup, d/b/a Mollerup Moving and Storage Company, whose business address is 155 South West Temple Street, Salt Lake City, Utah, was on March 15, 1933, and has been for a period of forty-five years prior thereto, engaged in the business of a contract carrier, and that since the advent of motor transportation, the applicant has been a contract motor carrier as defined by statute, operating over all of the highways of the State of Utah; and

It further appearing that since June 26, 1933, applicant has been operating over all of the highways of the State of Utah under authority of temporary permits and licenses issued by this Commission, and that in each of the latter cases, applicant has obtained a permit for such trip, and has constantly maintained with the Commission the insurance required by statute, and has paid all ton-mile taxes and all license fees; and,

It further appearing that applicant has been engaged in hauling on the highways of the state all types of household goods, office furniture, store fixtures, theatre supplies and equipment; and,

It further appearing from an investigation of the records of this Commission that all of the permits issued to applicant covering the transportation set forth in paragraph three above are on file and of record in the office of the Commission; and,

It further appearing to the Commission that applicant is a contract motor carrier as defined in Chapter 65 of the Session Laws of Utah, 1935, and that applicant is one of those contract motor carriers referred to in the first paragraph of Section 9 of the said Chapter, and that due and legal proof has been submitted to this Commission by the applicant of these facts.

THEREFORE, IT IS ORDERED, that Joseph Andrew Molerup, d/b/a Mollerup Moving and Storage Company, be, and he is hereby granted

CONTRACT CARRIER PERMIT NO. 126

authorizing him to operate over all of the highways of the State of Utah, as a contract motor carrier of used household goods, office furniture, store fixtures, theatre supplies, and equipment, as he may have occasion to carry in the course of his business.

ORDERED FURTHER, that applicant shall maintain on file with the Commission the necessary insurance as required by law, and copy of his tariff schedule showing rates, rules, and regulations; and that he shall operate at all times in accordance with the statutes of the State of Utah, and the rules and regulations prescribed by the Public Service Commission of Utah governing the operation of contract motor

carriers over the public highways of the State of Utah, and this Order shall be, and is his authority therefor.

Dated at Salt Lake City, Utah, this 13th day of April, 1936.

PUBLIC SERVICE COMMISSION OF UTAH,

By (Signed) THEODORE E. THAIN,
Acting Secretary.

(Seal)

CASE NO. 1853

In the Matter of the Application of R. A. BLASER for a license to operate as a contract motor carrier of property in interstate commerce between the Utah-Idaho State Line and Ogden, Utah, via Highways Nos. 30-S and 91.

Submitted: April 24, 1936.

Decided: June 26, 1936.

Disposition: Interstate Carrier License No. 109 issued authorizing applicant to operate as a contract motor carrier of property in interstate commerce for the Globe Grain & Milling Company only, between the Utah-Idaho State Line and Ogden, Utah, via Highways Nos. U. S. 30-S and U. S. 91.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1854

In the Matter of the Application of HADLEY TRANSFER AND STORAGE COMPANY for a permit to operate as a contract motor carrier of passengers or property in intrastate commerce.

ORDER

The application of Hadley Transfer and Storage Company, a corporation of the State of Utah, coming on for hearing and consideration before the Public Service Commission of the State of Utah, and it appearing from the application on file in said matter that the applicant was, on March 15, 1933, and has been for a period of some thirty years prior thereto engaged in the business of a contract carrier. That since the

advent of motor transportation the applicant has been a contract motor carrier as defined by the laws of the State of Utah, operating over the highways of said State.

And it further appearing that since the 15th day of March, 1933, the applicant has been operating and conducting its business over the highways of the State of Utah on temporary permits secured from the above entitled Commission and that in each of said cases the applicant has obtained a permit for each trip and has constantly maintained with the Commission the insurance required by the State of Utah and has paid all ton-mile taxes and all license fees;

And it also further appearing that the applicant has been engaged in hauling on the highways of the State of Utah with its equipment all types of merchandise, machinery and materials and that attached to said application is a list of the various destinations within said State to which and from which said applicant has hauled merchandise pursuant to permits issued by the above entitled Commission, together with a schedule of equipment owned and operated by said applicant, coupled with a financial statement of said applicant, and that upon examination thereof by the Commission and the Commission so finds that applicant is a contract motor carrier as defined by Chapter 65, of the Session Laws of Utah, 1935, and has been prior to March 15, 1933, and now is operating its motor vehicles and transporting merchandise, personal property, machinery and materials upon all of the highways of the State of Utah and that due and legal proof has been offered and submitted to the above entitled Commission by the applicant of these facts, and the Commission being fully advised in the premises,

IT IS THEREFORE ORDERED that Hadley Transfer and Storage Company, a corporation of the State of Utah, be, and they are hereby granted CONTRACT CARRIER PERMIT NO 127, authorizing it to operate on and over all of the highways of the State of Utah as a contract motor carrier of materials, personal property, merchandise and machinery of all types and kinds which it has occasion to carry in the course of its business.

IT IS FURTHER ORDERED that applicant shall maintain on file with the Commission the necessary insurance and bond as required by law, and that applicant shall at all times operate in accordance with the laws of the State of Utah, made and provided in such cases, and the rules and regulations required by the Public Service Commission of Utah governing the operation of contract motor carriers over the public high-

ways of the State of Utah, and that same shall take effect immediately upon the signing of this order.

Dated at Salt Lake City, Utah, this 13th day of April, 1936.

PUBLIC SERVICE COMMISSION OF UTAH,

By (Signed) THEODORE E. THAIN,
Acting Secretary.

(Seal)

CASE NO. 1855

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 and the Utah-Wyoming State Line, via Highways Nos. 30-S and 91.

(PENDING)

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1856

In the Matter of the Application of RULON C. ASHWORTH, d/b/a ASHWORTH TRANSFER COMPANY, for a permit to operate as a contract motor carrier of property in intrastate commerce.

ORDER

It appearing from the application on file in this matter that Rulon C. Ashworth, d/b/a Ashworth Transfer Company, whose address is Rear 28 South West Temple, Salt Lake City, Utah, was on March 15, 1933, and had been for a period of many years prior thereto, engaged in the business of a contract carrier, and that since the advent of motor transportation, the applicant has been a contract motor carrier as defined by statute, operating over all of the highways of the State of Utah; and

It further appearing that since June 26, 1933, applicant has been operating over all of the highways of the State of Utah under authority of temporary permits and licenses issued by this Commission, and that in each case applicant has ob-

tained a permit or license for such trip, and has constantly maintained with the Commission the insurance required by statute, and has paid all ton-mile taxes and all license fees due the State of Utah; and,

It further appearing that applicant has been engaged in hauling on the highways of the state all types of heavy machinery and road building material and equipment; and,

It further appearing from an investigation of the records of this Commission that all of the permits and licenses issued to applicant covering the transportation set forth in paragraph three above are on file and of record in the office of the Commission; and,

It further appearing to the Commission that applicant is a contract motor carrier as defined in Chapter 65 of the Session Laws of Utah, 1935, and that applicant is one of those contract motor carriers referred to in the first paragraph of Section 9 of the said Chapter, and that due and legal proof has been submitted to this Commission by the applicant of these facts.

THEREFORE, IT IS ORDERED, that Rulon C. Ashworth, d/b/a Ahworth Transfer Company, be, and he is hereby granted

CONTRACT CARRIER PERMIT NO. 128

authorizing him to operate over all of the highways of the State of Utah as a contract motor carrier of heavy machinery and road building material and equipment, as he may have occasion to carry in the course of his business.

ORDERED FURTHER, that applicant shall maintain on file with the Commission the necessary insurance as required by law, and copy of his tariff schedule showing rates, rules, and regulations; and that he shall operate at all times in accordance with the statutes of the State of Utah, and the rules and regulations prescribed by the Public Service Commission of Utah governing the operation of contract motor carriers over the public highways of the State of Utah, and this Order shall be, and is his authority therefor.

Dated at Salt Lake City, Utah, this 16th day of April, 1936.

PUBLIC SERVICE COMMISSION OF UTAH,

By (Signed) THEODORE E. THAIN,
Acting Secretary.

(Seal)

CASE NO. 1857

In the Matter of the Application of J. W. AULT for a permit to operate as a contract motor carrier of property in intrastate commerce between various points in Utah, via all highways in the State of Utah.

(PENDING)

CASE NO. 1858

In the Matter of the Application of EMERALD L. COX to operate as a contract motor carrier of property (ore and timber) between Utah Southern Mining Co. properties and Cedar City, Utah, via Highways Nos. 89 and 91.

Disposition: Order issued May 27, 1936, dismissing application without prejudice.

CASE NO. 1859

In the Matter of the Application of THOMAS C. WARNER, d/b/a COLE TRANSFER & STORAGE COMPANY, for a permit to operate as a contract motor carrier of property between Ogden, Utah, and Utah State Lines, via all highways in Utah.

(PENDING)

CASE NO. 1860

In the Matter of the Application of ACE TANK LINE COMPANY for a license to operate as a common motor carrier of property between the Utah-Nevada State Line and Salt Lake City, Utah, via Highways Nos. 40 and 50.

(PENDING)

CASE NO. 1861

In the Matter of the Application of OGDEN TRANSFER AND STORAGE COMPANY for a permit to operate as a contract motor carrier of property in intrastate commerce over all highways of the State.

(PENDING)

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

CASE NO. 1862

UTAH LAKE DISTRIBUTING COMPANY, et al., Complainants, vs. Utah Power & Light Company, Defendant.

ORDER

Application having been made for an order extending the terms of order of March 29, 1922, Case No. 441, the rates or charges for pumping purposes to and until October 31, 1936;

IT IS ORDERED, that rates or charges for pumping purposes as covered by order dated March 29, 1922, in Case No. 441, be in effect until October 31, 1936.

By the Commission.

Dated at Salt Lake City, Utah, this 23rd day of April, A. D. 1936.

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

(Seal)

Attest:

(Signed) THEODORE E. THAIN, Acting Secretary.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH.

CASE NO. 1863

In the Matter of the Application of JOHN M. MURPHY, d/b/a Alex Pickering Transfer Company for a permit to operate as a contract motor carrier of property in intrastate commerce on occasional hauls over the highways of the State of Utah.

ORDER

On the 23rd day of April, 1936, application was made by John M. Murphy of Salt Lake City, Utah, doing business under the name and style of Alex Pickering Transfer Company for a permit to operate motor vehicles in the transportation of property on occasional hauls over the highways of the State of Utah between Salt Lake City and Ogden, Arthur, Brigham City, Cache Junction, Copperton, Kanab, Layton, Murray, Pinecrest, Park City, Provo, Sandy, Spanish Fork, Tooele, and Woods Cross, and other points served by him on March 15, 1933, and prior thereto, as a contract motor carrier in intrastate commerce, as defined by Chapter 65, Laws of Utah, 1935.

The said applicant has placed on file in the office of the

Public Service Commission of Utah a personal liability insurance policy, a property damage insurance policy, and a cargo insurance policy, as provided for in Section 18 of said Chapter 65, Laws of Utah, 1935.

And it being made to further appear that the applicant has been engaged in hauling on the highways of the State of Utah with his equipment all types of merchandise, machinery, and materials as a contract motor carrier as afore-mentioned, and is now operating his motor vehicles over the highways of this state for the transportation of property, and was so doing prior to March 31, 1933, and that said applicant has at all times in said operations conformed with the Statutes of the State of Utah, and is now so doing; now, therefore,

IT IS ORDERED that said applicant, John M. Murphy, d/b/a Alex Pickering Transfer Company, be and he is hereby granted

CONTRACT CARRIER PERMIT NO. 130

authorizing him to operate on and over all the highways of the State of Utah as a contract motor carrier of all kinds of personal property including merchandise, machinery, and other property which he has occasion to carry in the course of the conduct of his said transportation business.

IT IS FURTHER ORDERED, that the applicant shall keep and maintain on file with the Commission the necessary insurance and bond as required by law, and that applicant shall at all times operate in accordance with the laws of the State of Utah as made and provided in such cases, and the Rules and Regulations of the Public Service Commission of Utah governing the operation of contract motor carriers over the public highways of the State of Utah, and the same shall take effect immediately upon the signing of this order.

Dated at Salt Lake City, Utah, this 16th day of May, 1936.

PUBLIC SERVICE COMMISSION OF UTAH.

(Seal

By (Signed) THEODORE E. THAIN,
Acting Secretary.

CASE NO. 1864

In the Matter of the Application of HEMMINGSEN & REED
for a permit to operate as a contract motor carrier of

property in intrastate commerce between Lark and Salt Lake City, Utah, via Highways Nos. 48 and 91.

(PENDING)

CASE NO. 1865

In the Matter of the Investigation of the Practice of the Utah POWER & LIGHT COMPANY, an electrical corporation, imposing a penalty charge against its patrons for failure to make prompt payments of charges for electrical energy.

(PENDING)

CASE NO. 1866

In the Matter of the Investigation of the Practice of the MOUNTAIN FUEL SUPPLY COMPANY, a gas corporation, imposing a penalty charge against its patrons for failure to make prompt payments of charges for gas.

(PENDING)

CASE NO. 1867

In the Matter of the Application of ARROWHEAD FREIGHT LINES, LTD. for a certificate of convenience and necessity to operate as a common motor carrier of property in intrastate commerce, between Salt Lake City and Cedar City and St. George, Utah, over and upon Highways Nos. U. S. 91 serving the intermediate points of Cedar City and all points south of Cedar City to and including St. George, Utah.

(PENDING)

CASE NO. 1868

In the Matter of the Application of Ivin H. Winn, d/b/a WINN'S TRUCK LINE, for a license to operate as a common motor carrier of property in interstate commerce between Salt Lake City and the Utah-Idaho Line, enroute to Weiser, Idaho, via Highways Nos. U. S. 91, U. S. 30-S, and U-41.

Disposition: Order issued May 27, 1936, dismissing application without prejudice.

CASE NO. 1869

In the Matter of the Application of ST. JOSEPH WATER AND IRRIGATION COMPANY to withdraw service from a portion of the territory now served by this Company.

(PENDING)

CASE NO. 1870

In the Matter of the Application of PARK-VALLEY-ROSETTE TELEPHONE COMPANY to increase its rates.

(PENDING)

CASE NO. 1871

In the Matter of the Application of the STATE ROAD COMMISSION of Utah for permission to replace the existing grade crossing of the transfer track of the Salt Lake & Utah Railroad Company, of the two main line tracks of The Denver & Rio Grande Western Railroad Company, and of the main track of Provo Branch of the Los Angeles and Salt Lake Railroad Company on West Center Street in Provo, Utah County, Utah, with an overhead crossing.

(PENDING)

CASE NO. 1872

In the Matter of the Application of the STATE ROAD COMMISSION OF UTAH for permission to construct, in place of the existing grade crossing, an underpass crossing of the main line tracks and freight tracks of The Denver & Rio Grande Western Railroad Company on Janet Street, in Municipal Limits of Helper City, in Carbon County, Utah.

(PENDING)

CASE NO. 1873

In the Matter of the Application of GLEN HEATON for a license to operate as a contract motor carrier of property in interstate commerce.

Disposition: Interstate Carrier License No. 105 issued May 7, 1936, authorizing applicant to operate as a contract motor carrier in interstate commerce of gasoline and other

petroleum products for the Standard Oil Company of California between the Utah-Arizona State Line and Cedar City and Alton Junction, via Highways Nos. U. S. 91, U-15, and U. S. 89.

CASE NO. 1874

In the Matter of the Application of JOHN RASMUSSEN operating under the name and style of RASMUSSEN TRUCKING to discontinue operations of common motor carrier of property in interstate commerce between Salt Lake City, Utah and the Utah-Nevada State Line, etc. under Interstate Carrier License No. 27 and of PACIFIC INTERMOUNTAIN EXPRESS, a corporation, to assume said operations.

(PENDING)

CASE NO. 1875

In the Matter of the Application 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 Plymouth, Box Elder County, Utah.

Submitted: June 1, 1936.

Decided: June 11, 1936.

Disposition: Certificate of Convenience and Necessity No. 453 issued authorizing applicant to exercise the rights and privileges conferred by franchise granted by the Town of Plymouth, Box Elder County, Utah.

CASE NO. 1876

In the Matter of the Application of THOMAS D. LEAVITT, JR., for a license to operate as a common motor carrier of property in interstate commerce between Salt Lake City, Utah, and Los Angeles, California, via Highway No. 91.

Disposition: Order issued June 10, 1936, dismissing application with prejudice.

CASE NO. 1877

In the Matter of the Application of HALLEY THOMAS for a license to operate as a contract motor carrier of prop-

erty in interstate commerce, between Rochester, Nevada, and Midvale, Utah, over and upon Highways Nos. 40 and 50.

(PENDING)

CASE NO. 1878

In the Matter of the Application of DAVE ROBERTS for a license to operate as a contract motor carrier of property in interstate commerce between Tonopah, Nevada, and vicinity and Utah Smelters, via Highways Nos. 40 and 50.

(PENDING)

CASE NO. 1879

In the Matter of the Application of BURLINGTON TRANSPORTATION COMPANY for a certificate of convenience and necessity to operate as a common motor carrier in the carrying of newspapers to subscribers or distributors in intrastate commerce, over U. S. Highway No. 91, Utah State Highway No. 49, U. S. Highway No. 30-S, and U. S. Highway No. 40.

(PENDING)

CASE NO. 1880

In the Matter of the Application of GEORGE MAYCOCK MOTOR COMPANY for a permit to operate as a contract motor carrier of property between Salt Lake City and Moon Lake, Utah, over and upon Highways Nos. U. S. 91, U. S. 89, and U. S. 40, and Unnumbered county road.

(PENDING)

CASE NO. 1881

In the Matter of the Application of the ST. JOSEPH WATER & IRRIGATION COMPANY for permission to exclude from service a certain territory in North Salt Lake City, Davis County, Utah.

(PENDING)

CASE NO. 1882

In the Matter of the Application of WILLIAM B. PATTERSON for a license to operate as a contract motor carrier

of property in interstate commerce between Salt Lake City and the Utah-Nevada State Line en route to Tonopah and Oreana, Nevada Districts, via Highways Nos. 40 and 50.

(PENDING)

CASE NO. 1883

In the Matter of the Application of UTAH LIGHT & TRACTION COMPANY to substitute automobile bus service for street car service on its East Third South-State Capitol Line, and to remove certain of its street car tracks in Salt Lake City. (Routes 6 and 23).

(PENDING)

CASE NO. 1884

In the Matter of the Application of DUANE VOGLER to discontinue operations of a motor freight truck line between Salt Lake City, Utah, and Ogden, Utah, and the Utah-Wyoming Line in interstate commerce under Interstate Carrier License No. 5 and of Red Line Transport, Inc. to assume said operations.

(PENDING)

CASE NO. 1885

In the Matter of the Application of PACIFIC GREYHOUND LINES, INC. to operate an intrastate passenger and light express service between Salt Lake City and the Nevada-Utah State Line, west of Wendover and all intermediate points, via U. S. Highway No. 40 through Saltair and Grantsville.

(PENDING)

CASE NO. 1886

In the Matter of the Application of COLORADO-WYOMING EXPRESS, INC., a Wyoming corporation, for a license to operate as a common motor carrier of property in Interstate Commerce between Salt Lake City and the Utah-Wyoming State Line, via Highways 30-S and 91; also optionally via U. S. 49 and 30-S, (Farmington cut-off route).

(PENDING)

CASE NO. 1887

In the Matter of the Application of CONTRACT CARRIER, INC., for a license to operate as a contract motor carrier of property in interstate commerce between Santa Clara, Utah, and the Utah-Arizona Line, via Highway No. 91.

(PENDING)

CASE NO. 1889

In the Matter of the Application of NEPHI NEILSON to discontinue operations of an automobile stage line between Salt Lake City and Brighton, Utah, and of the UTAH TRANSPORTATION COMPANY to assume said operations.

Submitted: June 30, 1936.

Decided: June 30, 1936.

Disposition: Certificate of Convenience and Necessity No. 267 previously issued to Nephi Neilson in Case No. 889 cancelled, and,

Certificate of Convenience and Necessity No. 454 issued authorizing Utah Transportation Company to assume the operation of a motor transport line between Salt Lake City and Brighton, Utah, for the transportation of passengers and freight.

CASE NO. 1890

In the Matter of the Application of LEWIS JOHNSON for a permit to operate as a contract motor carrier of property in intrastate commerce between Ogden, Utah, and Morgan, Utah, via Highway No. 30-S.

(PENDING)

CASE NO. 1891

In the Matter of the Application of ISREAL THOMPSON SMITH for a license to operate as a common motor carrier of property in interstate commerce between Salt Lake City, Clearfield, Ogden, Brigham, Tremonton, Smithfield, Utah, and the Utah-Idaho State Line, via Highways No. 91, 30-S and 41.

(PENDING)

CASE NO. 1892

In the Matter of the Application of 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 Woods Cross, Davis County, Utah.

(PENDING)

CASE NO. 1893

In the Matter of the Application of EUCALYPTUS WOOD COMPANY for a license to operate as a contract motor carrier of property in interstate commerce between the Utah-Nevada State Line and Tooele and Midvale, Utah, over and upon Highways Nos. 40, 50, 91, and U-36.

(PENDING)

CASE NO. 1896

In the Matter of the Application of SALT LAKE TRANSPORTATION COMPANY for a permit to operate as a contract motor carrier of passengers in intrastate commerce.

(PENDING)

APPENDIX II

Commission Finances

Informal Dockets

Special Permissions

Certificates of Convenience and Necessity

Interstate Carrier Licenses

Contract Carrier Permits

Grade Crossing Permits

Steam Railroads, Statistics

Electric Interurban Railroads, Statistics

Railroads, Accident Statistics

Railroads, Grade Crossing Statistics.

Street Railways, Statistics

Electric Utilities, Statistics

Gas Utilities, Statistics

Telephone Utilities, Statistics

Telegraph and Cable Companies, Statistics

Express Company, Statistics

Sleeping Car Company, Statistics

Water Utilities, Statistics

Motor Transport Companies, Statistics

Motor Transport Companies, Accident Statistics

Motor Transport Companies, Road Tax Assessments

STATEMENT OF COMMISSION FINANCES
Fiscal Year—July 1, 1935 to June 30, 1936
GENERAL FUND APPROPRIATION

Appropriation Account	Appropriation Allotments	Credits	Transfers	Total Available for Expenditure	Expenditures	Unexpended Balance June 30, 1936
Salaries, Wages, and Fees...	\$ 37,908.38	\$ 1,725.05	\$	\$ 39,633.43	\$ 38,274.24	\$ 1,359.19
Office Expenses	2,822.14	75.57		2,897.71	1,724.02	1,173.69
Travel	1,373.97			1,373.97	963.58	410.39
Equipment	476.58			476.58	321.48	155.10
Total	\$ 42,581.07	\$ 1,800.62	\$	\$ 44,381.69	\$ 41,283.32	\$ 3,098.37

MOTOR TRANSPORT FUND

Salaries, Wages, and Fees...	\$ 15,555.27	\$ 303.33	\$	\$ 15,858.60	\$ 15,446.55	\$ 412.05
Office Expenses	739.81	182.81		922.62	802.16	120.46
Travel	1,545.04	85.29	166.25*	1,796.58	1,790.13	6.45
Equipment	591.95		166.25*	425.70	425.70	
Total	\$ 18,432.07	\$ 571.43	\$	\$ 19,003.50	\$ 18,464.54	\$ 538.96
GRAND TOTAL, Gen. Fund and Motor Transport Fund	\$ 61,013.14	\$ 2,372.05	\$	\$ 63,385.19	\$ 59,747.86	\$ 3,637.33

*Transferred from "Equipment" to "Travel"

INFORMAL DOCKETS

July 1, 1935 to June 30, 1936

No.	DESCRIPTION	DISPOSITION
348	W. O. Stanley vs. Mountain Fuel Supply Company. Re: 400 cubic feet of gas which was wasted through failure of service man of Mountain Fuel Supply Company to check for an open line when connection was made.	Mountain Fuel Supply Company authorized to credit account of W. O. Stanley with \$.75 on or before September 12, 1935.
349	Application of Halloran Savings & Trust Company, Receiver for Eagle Coal Company, to operate and maintain a coal screening and loading tipple with impaired clearance on a spur track owned by the Eagle Coal Company at Clear Creek, Utah.	Application granted and Clearance Permit No. 21 issued August 21, 1935.
350	Application of Cannon & Fetzner, Architects, as agents for Zion's Savings Bank & Trust Company, to build and maintain a freight car entrance to a warehouse building with an impaired vertical clearance at 251 West South Temple Street in Salt Lake City, Utah, on a spur track of the Salt Lake Terminal Company.	Application granted and Clearance Permit No. 22 issued August 26, 1935. Order rescinding Clearance Permit No. 22 issued September 12, 1935.
351	J. P. Peterson vs. Utah Power & Light Company. Re: Complaint by Mr. Peterson that the Utah Power & Light Company had cut off his service without any previous notice to him before doing so.	Service reinstated for Mr. Peterson.
352	B. A. Gallafent vs. Utah Power & Light Company. Re: Complaint by Mr. Gallafent that the Utah Power & Light Company had cut off his service because of failure to pay his bill of \$19.66 even though he had a \$25.00 deposit with the Power Company.	Service reinstated for Mr. Gallafent.
353	Request of residents of Midvale City to have the Utah Light & Traction Company reroute its buses over a loop through Midvale via State Street, Center Street, Main Street, Sixth West Street, and 64th South Street, each alternate bus taking this loop in an opposite direction.	Approval given by the Commission for buses to be rerouted through Midvale as requested.

No.	DESCRIPTION	DISPOSITION
354	Portland Cement Company vs. The Denver & Rio Grande Western Railroad Company and Bingham & Garfield Railway Company. Re: Shipment of 42,750 lbs. cement moved on April 10, 1935, from Salt Lake City to Bacchus on which rate of 13c per cwt. was applied; that rate of 11c became effective May 5, 1935; complainant damaged in the sum of \$8.55.	Reparation of \$8.55 authorized on October 25, 1935, to be paid on or before November 25, 1935.
355	Ora Bundy vs. The Utah Idaho Central Railroad Company. Re: Fourteen cars of rock asphalt, aggregate weight 1,939,800 lbs., moved during July, 1935, from Sunnyside to Brigham on which rate of \$2.58 per ton was applied; but on which the rate applicable was \$3.10 per ton; that rate of \$2.58 per ton became effective July 18, 1935.	Defendant authorized on October 25, 1935, to waive collection of undercharge of \$504.31.
356	Tintic Standard Mining Company vs. The Denver & Rio Grande Western Railroad Company. Re: Three carloads of sand, aggregate weight 356,300 lbs., shipped from Draper to Dividend during March, 1935, on which rate of \$1.70 per ton was assessed; that rate of \$1.30 per ton became effective June 8, 1935; complainant damaged in the sum of \$71.26.	Reparation of \$71.26 authorized October 25, 1935, to be paid on or before November 25, 1935.
357	Strong & Grant vs. The Denver & Rio Grande Western Railroad Company. Re: One car-load of cement, weight 95,000 lbs., shipped on July 31, 1935, from Devils Slide to Springville, on which a rate of 16c per cwt. was assessed; that rate of 11½c per cwt. on 50,000 lbs. minimum subsequently became effective; complainant damaged in the amount of \$42.75.	Reparation of \$42.75 authorized on October 25, 1935, to be paid on or before November 25, 1935.
358	The Denver & Rio Grande Western Railroad Company vs. Utah Railway Company. Re: Forty-five carloads of coal switched by the Utah Railway Company from storage dumps of the Standard Coal Company at Standardville during May, June, and July, 1935, upon which a switching charge of \$5.00 per car was applied; that effective July 31, 1935, a switching rate of \$2.70 per car became effective; complainant damaged in the sum of \$103.50.	Reparation of \$103.50 authorized on November 1, 1935, to be paid on or before December 1, 1935.

No.	DESCRIPTION	DISPOSITION
359	P. M. Peterson vs. Rio Grand Motor Way, Inc. Re: Application of proper class rate on wagons.	Reparation of \$1.57 made on October 30, 1935.
360	Request of authorities in charge of the Veterans' Hospital for the Utah Light and Traction Company to extend service to the Hospital.	Utah Light and Traction Company authorized to extend such service November 13, 1935.
361	Gunnison Sugar Company vs. The Denver and Rio Grande Western Railroad Company. Re: Thirty carloads slack coal shipped during September, 1935, from Kenilworth to Spearmin, aggregate weight 3,356,200 pounds, on which rate of \$1.90 per ton was assessed; that rate of \$1.65 per ton became effective October 18, 1935; complainant damaged in the amount of \$419.56.	Reparation of \$419.56 authorized December 4, 1935, to be paid on or before January 4, 1936.
362	Angus Jensen, Owner, Kimball Apartments, vs. Mountain Fuel Supply Company. Re: Refund of \$31.54 overcharge on excessive use of gas caused by failure of the Company's service man to make the proper damper regulations.	Reparation of \$31.54 authorized January 14, 1936, to be paid on or before February 14, 1936.
363	B. V. Hendricks vs. The Utah Idaho Central Railroad Company. Re: One car load of beet pulp shipped from Ogden Sugar Works to Cunningham on December 12, 1935, aggregate weight 100,100 lbs., on which rate of \$1.50 per ton was legally applicable but on which rate of \$1.10 was applied which rate became effective December 17, 1935; defendant sought authority to waive collection of undercharge of \$20.03.	Authority given on February 24, 1936, to waive collection of undercharge of \$20.03.
364	Stanley Peck vs. Utah Power & Light Company. Re: Complaint as to service rendered him in comparison with the service rendered his neighbors.	Letter dated February 13, 1936, from Mr. Peck advised that the Company had satisfied his complaint.

No.	DESCRIPTION	DISPOSITION
365	United States Smelting, Refining and Mining Company vs. Bingham and Garfield Railway Company and The Denver and Rio Grande Western Railroad Company. Re: Forty-four carloads of sand, aggregate weight 4,100,520 lbs., shipped during January, February, and March, 1934, from Sands to Midvale, on which a rate of 22c per net ton of 2,000 lbs., from Sands to Garfield Smelters and 40c per net ton of 2,000 lbs., from Garfield to Midvale was assessed; that on March 20, 1934, a joint rate of 50c per net ton of 2,000 lbs., from Sands to Midvale became effective; complainant damaged in the sum of \$297.50.	Reparation of \$297.50 authorized on February 28, 1936, to be paid on or before March 28, 1936.
366	Commercial Service Company vs. Mountain Fuel Supply Company. Re: Due to a leak in complainant's gas pipes complainant alleged 40,000 cubic feet of gas had been wasted during January, 1936; complainant sought reparation for excess gas lost.	Reparation of \$12.00 authorized on March 13, 1936, to be paid on or before April 12, 1936.
367	Nephi Plaster and Manufacturing Company vs. The Denver and Rio Grande Western Railroad Company. Re: One car load of coal, weight 90,300 lbs., shipped on February 4, 1935, from Kingmine to Nephi on which a rate of \$2.10 per ton was assessed; that from Nephi the car was switched to Gypsum on which the applicable rate at the time was 6½c per cwt. between Nephi and Gypsum; that a rate of \$8.55 per car was collected resulting in an undercharge of \$50.15; that on November 23, 1935, rate of \$8.55 per car became effective between Nephi and Gypsum.	Defendant authorized on March 19, 1936, to waive collection of undercharge of \$50.15.
368	Application of The Denver and Rio Grande Western Railroad Company for permission to exchange intrastate railroad transportation in Utah, in the form of scrip books, for advertising space in Utah newspapers.	Application granted and authority given May 21, 1936.

No.	DESCRIPTION	DISPOSITION
369	Columbia Steel Company vs. Union Pacific Railroad Company. Re: Forty-two carloads of iron ore moved during January, 1936, from Desert Mound to Ironton, actual weight 5,215,920 lbs., on which emergency charges of 10c per ton of 2,000 lbs. were assessed but not collected; that effective January 21, 1936, all ores and concentrates were excepted from application of emergency charges.	Defendant authorized on June 4, 1936, to waive collection of \$260.81 undercharge.
370	Jensen Brothers Packing Company vs. Union Pacific Railroad Company. Re: One car load of wheat shipped from Smithfield, Utah, to the Globe Grain and Milling Company at Ogden and rebilled from Ogden to Burton, and reconsigned at Salt Lake City to Murray; complainant sought application of through rate plus diversion charges instead of combination rate over Ogden.	Pending.

SPECIAL PERMISSIONS ISSUED DURING THE PERIOD
JULY 1, 1935 TO JUNE 30, 1936

NAME	NUMBER
Bamberger Electric Railroad Company.....	4
Bamberger Transportation Company	1
Barton Truck Line, Inc., The	1
Bee Hive Stages	2
Big Springs Power Co.....	1
Bingham & Garfield Railway Co.....	2
Bountiful Light & Power Co.....	1
Cameron Truck Line	1
Colby Truck Line	1
D. & R. G. W. R. R. Co., The.....	58
Eastern Utah Transportation Co.....	2
Fuller-Toponce Truck Co.	4
Interstate Transit Lines	3
Local Utah Freight Tariff Bureau.....	20
Los Angeles & Salt Lake R. R. Co.....	5
Magna Garfield Truck Line.....	1
Mountain States Tel. & Tel. Co., The.....	5
Oregon Short Line Railroad Co.....	8
Pacific Freight Tariff Bureau	10
Pullman Company, The ..	1
Rio Grande Motor Way, Inc.....	5
Salt Lake & Bingham Freight Lines.....	1
Salt Lake-Coalville Stages	1
Salt Lake Ogden Transportation Co.....	1
Salt Lake-Tooele Stages.....	1
Salt Lake & Utah Railroad Co.....	2
Southern Pacific Co.	2
Southern Utah Power Company	3
Southern Utah Truck Co.	1
Sterling Transportation Co.	6
Telluride Power Co.	2
Transcontinental Passenger Ass'n.	1
Uintah Power & Light Company	1
Union Pacific Railroad Co.....	24
Union Pacific Stages, Inc.....	1
Union Pacific System	15
Utah Central Truck Lines	1
Utah Idaho Central Railroad Co., The.....	11
Utah Light & Traction Company.....	6
Utah Power & Light Company	6
Utah Railway Company	2
Western Pacific Railroad Co., The	3
Western Passenger Ass'n	2
Western Trunk Line Committee	4
Western Union Telegraph Co., The.....	10
TOTAL	243

CERTIFICATES OF CONVENIENCE AND NECESSITY ISSUED DURING PERIOD
JULY 1, 1935 TO JUNE 30, 1936

Cert. Case No.	Type of Service*	To Whom Issued	Between	Route	And	Via Highways
439	1621	F P..... Homer A. Lyman	Richfield		Torrey	U 24
440	1791	P E..... George W. Hall	St. George		Kanab	US 91, U 17, 15, US 89
441	1769	F..... Frank L. Colby	Salt Lake City		Delta	US 91, U 26
442	1770	F..... Newell K. Warner	Salt Lake City		Fillmore	US 91
443	1763	P..... Utah Light & Traction Co.	Certain Routes in Salt Lake City			
444	1781	P E..... Rio Grande Motor Way, Inc.	Salt Lake City		Utah-Colorado Line	US 91, US 50
445	1779	P..... Utah Rapid Transit Co.	In Ogden City		Utah-Idaho Line	US 91, 30S, U 41
446	1747	F..... Fuller-Toponce Truck Co.	Salt Lake City			
447†	1797	P B..... Denver-Salt Lake-Pacific Stages, Inc.	Salt Lake City, Price		Vernal	US 40, 91, U 7, 52, 33, 53
447†	1805	P M..... James O. Child	Price		Emery, Cleveland	U 10
448	1815	S..... Utah Power & Light Co.	In Weber County		Desert Mound	County
449	1833	P E M..... Interstate Transit Lines	Cedar City			
450	1834	†..... Utah Power & Light Co.	On Provo River, Utah County			
451	1838	F..... M. R. and Garth Cameron	Salt Lake City, Marysville		Panguitch, Escalante, Ruby's Inn	US 91, U 28, US 89, U 22, 23, 12
452	1843	S..... Utah Power & Light Co.	In town of Sunset			
453	1875	S..... Utah Power & Light Co.	In town of Plymouth			
454	1889	P F..... Utah Transportation Co.	Salt Lake City		Brighton	County

* F denotes freight service; P passenger service; E express service; B baggage service; M mail service.

† Certificate No. 447 inadvertently issued twice.

§ Certificate to exercise privileges granted under franchise from county or town shown.

‡ Certificate to construct and operate a steam electric generating plant.

INTERSTATE CARRIER LICENSES ISSUED DURING PERIOD
JULY 1, 1935 TO JUNE 30, 1936

License No.	Case No.	Type of Service	To Whom Issued	Between	Route	And	Via Highways
84	1774	F	R. J. Marsden	Ogden		Utah-Idaho Line	US 91, 30 S, U 41
85	1622	M	Jane E. Brown and Joseph R. Lund	St. George		Utah-Arizona Line	US 91
86	1751	P	United Stages System, Inc.	Salt Lake City		Utah-Nevada Line	US 40
87	1780	F	O. J. Ames	Salt Lake City		Utah-Wyoming Line	US 91, 30 S, 40
88	1781	P	Rio Grande Motor Way, Inc.	Salt Lake City		Utah-Colorado Line	US 91, 50
89	1749	F	Fuller-Toponce Truck Co.	Salt Lake City		Utah-Idaho Line	US 91, 30 S, U 41
90	1777	F	J. O. Cotant Truck Lines, Inc.	Murray, Salt Lake City		Utah-Idaho Line	US 91, U 41
91	1793	P	E. H. Curry and Earl Nash	Salt Lake City		Utah-Nevada Line	US 40-50
92	1721	F	Harvey Stucki and Reed Wittwer	St. George		Utah-Arizona Line	US 91
93	1649	F	Lynn Cox	Randolph		Utah-Wyoming Line	U 3, 65
94	1797	P	Denver-Salt Lake-Pacific Stages, Inc.	Salt Lake City		Utah-Colorado Line	US 40, 91, U 7, U 52

*F designates freight service; M mail service; P passenger service; E express service.

INTERSTATE CARRIER LICENSES ISSUED DURING PERIOD

JULY 1, 1935 TO JUNE 30, 1936

License No.	Case No.	Type of Service	To Whom Issued	Between	Route	And	Via Highways
95	1796	F	George Young	Salt Lake City, Ogden	Utah-Wyoming Line		US 91, 30 S
96	1756	F	W. L. Olsen	Salt Lake City	Utah-Nevada Line		US 40
97			(Not issued)				
98	1806	F	N. O. Henrie Bros. Trucking Co.	Salt Lake City	Utah-Idaho Line		US 91, 30 S, U 41
99	1809	P M E	Burlington Transp. Co.	Salt Lake City	Utah-Nevada Line		US 40
100	1820	F	F. C. Calhoun	Salt Lake City, Ogden	Utah-Wyoming Line		US 91, U 49, US 30 S
101	1835	F	Riss and Company, Inc.	(Salt Lake City, Ogden)	Utah-Wyoming Line		US 40, 530, 30 S
				(Ogden)	Utah-Cororado Line		US 91, U 8, US 89, 50
102	1750	F	Garrett Transfer & Storage Co.	Utah-Idaho Line	Utah-Nevada Line		U 41, US 30 S, 91, 40-50
103	1824	F	Frank and I. Canoso	Salt Lake City	Utah-Wyoming Line		US 91, 30 S
104	1836	F	W. W. McCann	Salt Lake City	Utah-Idaho Line		US 91, U 41, US 30 S
105	1873	F	Glen Heaton	Cedar City, Alton Jct.	Utah-Arizona Line		US 91, U 15, US 89
106	1840	F	Willford Fluckiger	Salt Lake City	Randolph, Utah-Wyoming Line		US 91, 30 S, 89
109	1853	F	R. A. Blazer	Ogden	Utah-Idaho Line		US 91, 30 S
110	1850	F	E. R. Johnson	Salt Lake City	Utah-Idaho Line		US 91, 30 S
111	1804	P E	Inland Pacific Stages	Salt Lake City	Utah-Wyoming Line		US 91, 30 S, U 49

* F designates freight service; M mail service; P passenger service; E express service.

CONTRACT CARRIER PERMITS ISSUED DURING PERIOD
JULY 1, 1935 TO JUNE 30, 1936

Permit No.	Case No.	Type of Service	To Whom Issued	Between	Route	And	Via Highways
105	1654	F	Leo G. Smith (Not issued)	St. George	Pintura		US 91
106			(Not issued)				
107							
110	1634	F	James O. Talbot	Paragonah		Cedar City	US 91
112	1771	F	Petty and Riddle, Inc.	Cedar City		Pintura	US 91
113	1752	D	Leslie S. Dunn	Logan		Draper	US 91
114	1668	M	Ben Peterson	Gunnison	R. R. Station	Centerfield, Fayette	US 89, U 28
115	1618	M	William Ray Nielson	Richfield		Annabella	US 89
116	1614	M	A. P. Hemmingsen	Lark		Revere Switch	County
117	1748	F	Fuller-Toponce Truck Co.	Salt Lake City		Utah-Idaho Line	US 91, U 101, 61
118	1792	D	Harris Bethers	Heber City		Provo	US 40, U 7
119	1701	M	Carlos Murdock	Beaver		Cove Fort	US 91
120	1684	M	Edgar Nielson	Lynndyl		Oak City	County
121	1756	F	W. L. Olsen	Salt Lake City		Logan, Cedar City	US 91
122	1642	M	Horace Allred	Thompson		La Sal, Monticello	US 50, 450
123	1802	F	M. S. Wycoff	Salt Lake City		Helper, Price, Wellington	US 91, 50
124	1812	N	R. B. Fitzgerald	Salt Lake City		Kamas	US 40
125	1849	F	Salt Lake Transfer Co.	All points in Utah		All points in Utah	All highways
126	1852	F	Mollerup Moving and Storage Co.	All points in Utah		All points in Utah	All highways
127	1854	F	Hadley Transfer and Storage Co.	All points in Utah		All points in Utah	All highways
128	1856	F	Rulon C. Ashworth	All points in Utah		All points in Utah	All highways
130	1863	F	Alex Pickering Trans. Co.	All points in Utah		All points in Utah	All highways
131	1844	F	Osmond C. Hansen	Pariette Gilsouite Mine		Heber City	US 40

* F denotes freight service; M mail service; D dairy products; N newspapers.

GRADE CROSSING PERMITS ISSUED AND AUTHORITY GRANTED FOR GRADE CROSSINGS,
SEPARATIONS, AND ABANDONMENTS

JULY 1, 1935 TO JUNE 30, 1936

Permit No.	Applicant	Authority Granted	Location
174	1810 Salt Lake Terminal Company.	Construct and operate a standard gauge spur track	First West Street, Salt Lake City
175	1764 State Road Commission of Utah	Construct and maintain a crossing at grade	Silver City on U-26 and L.A. & S.L. R.R.
176	1766 State Road Commission of Utah	Construct and maintain a crossing at grade	St. John on U-36 and L.A. & S.L.R.R.
177	State Road Commission of Utah	Construct and maintain a temporary crossing at grade	Farr West, Weber County, on S.P. R.R.
178	Oregon Short Line R. R. Co....	Construct and maintain a standard gauge spur track	6th West and 1st North, Logan, Utah
1680	Salt Lake County	Establish a crossing at grade	1st West Street between 21st and 27th South in Salt Lake City on O.S.L. R.R.
1765	State Road Commission of Utah	Construct and maintain a crossing at grade	Silver City on U-26 and D.&R.G.W. R.R.
1778	State Road Commission of Utah	Replace crossing at grade with an un-derpass crossing	West 33rd South Street, Salt Lake County on D.&R.G.W.R.R.
1790	State Road Commission of Utah	Relocation of crossing at grade	Junction of U-131 and US 91, Davis County on B.E.R.R.

GRADE CROSSING PERMITS ISSUED AND AUTHORITY GRANTED FOR GRADE CROSSINGS,
SEPARATIONS, AND ABANDONMENTS

JULY 1, 1935 TO JUNE 30, 1936

Permit No.	Applicant	Authority Granted	Location
1807	State Road Commission of Utah	Construct and maintain an underpass crossing	North of Brigham City on US 30-S and O.S.L.R.R.
1808	State Road Commission of Utah	Construct and maintain an underpass crossing	North of Brigham City on US 30-S and U.I.C.R.R.
1817	State Road Commission of Utah	Construct and maintain an underpass crossing	Pleasant Grove, on US 91 and L.A. & S.L.R.R.
1818	State Road Commission of Utah	Construct and maintain an underpass crossing	Pleasant Grove, on US 91 and S.L. & U.R.R.
1819	State Road Commission of Utah	Construct and maintain an overhead crossing	Farr West, Weber County, on S.P. R.R.
1825	State Road Commission of Utah	Construct and maintain an overhead crossing	Delta, Millard County, on L.A. & S.L. R.R.
1827	State Road Commission of Utah	Relocation of crossing at grade	Between Santaquin and Goshen, Utah County, on U-26 and D.&R.G.W.R.R.
1832	State Road Commission of Utah	Relocation and construction of underpass crossing	North Farmington, Davis County, on U-49 and B.E.R.R.

OPERATING REVENUES, CLASS I AND CLASS II STEAM RAILROADS
YEAR ENDED DECEMBER 31, 1935

Name of Carrier	ENTIRE LINE				WITHIN STATE OF UTAH			
	Freight Revenues	Passenger Revenues	Other Operating Revenues	Total Operating Revenues	Freight Revenues	Passenger Revenues	Other Operating Revenues	Total Operating Revenues
Bingham and Garfield Ry Co.....	\$ 277,256\$	261\$	3,042\$	280,559	\$ 277,256\$	261\$	3,042\$	280,559
Denver & Rio Grande Western R. Co., The.....	18,470,420	1,301,958	1,171,852	20,944,230	6,757,823	337,744	313,157	7,408,724
Los Angeles & Salt Lake R. Co..	13,459,845	2,040,822	1,487,597	16,988,264	5,666,419	764,963	562,121	6,993,503
Oregon Short Line R. R. Co.....	21,080,653	1,489,782	1,647,368	24,217,803	6,196,715	262,780	179,134	6,638,629
Southern Pacific Co.....	94,138,112	17,753,609	16,862,105	128,753,826	3,483,987	316,201	304,346	4,104,534
Tooele Valley Railway Co.....	55,799	5,903	15,350	77,052	55,799	5,903	15,350	77,052
Utah Railway Co., The.....	257,645	1,087	7,906	266,638	*			
Union Pacific R. R. Co.....	58,851,880	6,201,425	6,506,426	71,559,731	2,385,885	284,295	255,027	2,925,207
Utah Railway Co.....	1,038,311		3,141	1,061,452	1,038,311		3,141	1,061,452
Western Pacific R. R. Co., The..	12,200,245	371,758	335,068	12,907,071	1,489,098	46,223	42,558	1,577,879
TOTAL	219,850,166	\$29,166,605	\$28,039,855	\$277,056,626	\$27,371,293	\$ 2,018,370	\$ 1,677,876	\$31,067,539

*Information not available.

OPERATING EXPENSES, CLASS I AND CLASS II STEAM RAILROADS
YEAR ENDED DECEMBER 31, 1935

Name of Carrier	ENTIRE LINE								
	Mainten- ance of Way and Structures	Mainten- ance of Equip- ment	Traffic Expenses	Transporta- tion Rail Line	Transporta- tion Water Line	Miscel- laneous Opera- tions	General Expenses	Trans- porta- tion for Invest- ment- Credit	Grand Total
Bingham and Garfield Ry. Co.	\$ 73,318	\$ 65,391	\$ 14,656	\$ 68,485	\$	\$	\$ 52,877	\$	\$ 274,727
Denver & Rio Grande Western R. R. Co., The.....	2,491,669	4,861,413	601,383	7,140,624		127,227	963,815	50,663	16,135,468
Los Angeles & Salt Lake R. R.	1,857,062	2,545,573	646,420	5,403,824		524,426	560,552	2,790	11,535,067
Oregon Short Line R. R. Co.	2,767,040	3,742,607	442,434	8,028,260		323,697	919,934	3,221	16,220,751
Southern Pacific Co.	10,881,757	22,092,772	3,662,638	46,359,538	3,557,923	2,763,816	6,836,326	273,799	95,880,971
Tooele Valley Railway Co.	30,777	27,426	4,308	41,292		9,720			113,523
Utah Railway Co., The.....	40,469	50,978	1,421	50,288		1,354	45,291		189,801
Union Pacific R. R. Co.	8,114,436	15,393,072	1,594,691	23,275,557		1,354,300	2,734,971	411	52,466,616
Utah Railway Co.	147,799	256,272	5,990	240,219			57,542	1,712	706,110
Western Pacific R. R. Co., The	2,369,169	2,147,458	666,457	4,991,322		86,270	344,756	10,490	10,594,942
Total	\$28,773,496	\$51,182,962	\$7,640,398	\$95,599,409	\$3,557,923	\$5,181,090	\$12,525,784	\$343,086	\$204,117,976

*Information not available.

OPERATING EXPENSES, CLASS I AND CLASS II STEAM RAILROADS

YEAR ENDED DECEMBER 31, 1935

Name of Carrier	WITHIN STATE OF UTAH								
	Mainten- ance of Way and Structures	Mainten- ance of Equip- ment	Traffic Expenses	Transporta- tion Rail Line	Transporta- tion Water Line	Miscel- laneous Opera- tions	General Expenses	Trans- porta- tion for Invest- ment- Credit	Grand Total
Bingham and Garfield Ry. Co.	\$ 73,318	\$ 65,391	\$ 14,656	\$ 68,485		\$	\$ 52,877	\$	\$ 274,727
Denver & Rio Grande Western R. R. Co., The	884,723	1,728,903	208,683	2,529,820		40,395	339,289	18,404	5,713,409
Los Angeles & Salt Lake R. R.	692,127	948,735	240,921	2,014,005		195,454	208,918	1,040	4,299,120
Oregon Short Line R. R. Co.	391,259	529,205	62,560	1,135,196		45,771	130,079	456	2,293,614
Southern Pacific Co.	229,026	449,894	74,175	992,094		59,146	141,624	5,859	1,940,100
Tooele Valley Railway Co.	30,777	27,426	4,308	41,292			9,720		113,523
Utah Railway Co., The*	298,693	566,619	58,700	856,773		49,852	100,674	15	1,931,296
Utah Pacific R. R. Co.	147,799	256,272	5,990	240,219			57,542	1,712	706,110
Utah Railway Co.	241,735	260,057	80,709	604,449		10,447	41,749	1,271	1,237,875
Western Pacific R. R. Co., The									
Total	\$ 2,989,457	\$ 4,832,502	\$ 750,702	\$ 8,482,353	\$	\$ 401,065	\$ 1,082,472	\$ 28,757	\$ 18,509,774

* Information not available.

STATISTICS OF RAIL LINE OPERATIONS—STATE OF UTAH, YEAR ENDED DECEMBER 31, 1935

CLASS I AND CLASS II STEAM RAILROADS

Name of Carrier	Average Mileage of Road Operated		Tons Freight Trans- ported	Revenue Passengers Carried	Averages Per Mile of Road		Utah Tax Accruals
	Entire Line	Utah			Operating Revenues	Operating Expenses	
Bingham & Garfield Ry. Co.....	32.85	32.85	871,626	256	\$ 8,397.46	\$ 8,222.90	\$ 56,421
Denver & Rio Grande Western R. R.....	2,592.66	697.17	4,651,624	97,378	10,626.85	8,195.14	714,055
Los Angeles & Salt Lake R. R. Co.....	1,240.25	539.35	2,777,083	275,441	12,502.91	7,685.92	473,804
Oregon Short Line R. R. Co.....	2,504.21	241.39	3,848,262	252,501	27,501.67	9,501.69	344,238
Southern Pacific Co.	8,788.14	259.52	2,990,938	155,330	15,815.87	7,475.72	260,551
Tooele Valley Ry. Co.....	7.27	7.27	292,742	117,918	10,689.13	15,615.27	6,007
Utah Railway Co., The.....	68.46	17.72	3,748,011	246,294	26,510.85	17,503.14	6,068
Union Pacific R. R. Co.....	3,593.02	110.34	1,019,631	24,231	9,554.02	6,355.63	254,710
Utah Railway Co.	111.10	111.10	1,546,927	24,231	10,979.00	8,613.00	105,681
Western Pacific R. R. Co., The.....	1,213.15	143.72					89,046
TOTAL	20,151.11	2,180.43	21,746,844	1,169,349	\$14,730.86	\$ 9,907.60	\$2,310,601

*Information not available.

STATISTICS OF RAIL LINE OPERATIONS—STATE OF UTAH, YEAR ENDED DECEMBER 31, 1935

CLASS I AND CLASS II STEAM RAILROADS

Name of Carrier	Ton-Miles Revenue Freight	Passenger Miles Revenue	Average Revenue per ton of Freight	Average Revenue per Ton- Mile of Freight	Average Revenue per Passenger	Average Revenue per Passen- ger Mile	Oper- ating Ratio
Bingham & Garfield Ry. Co.	10,101,279	10,240	\$.31809	\$.02745	\$ 1.01953	\$.02549	97.92%
Denver & Rio Grande Western R. R. Co.	706,031,070	23,599,277	1.45279	.00957	3.46838	.01431	77.12%
Los Angeles & Salt Lake R. R. Co.	430,482,759	47,465,175	2.04042	.01316	2.77723	.01612	61.47%
Oregon Short Line R. R. Co.	228,388,030	12,917,043	1.61026	.02713	1.04071	.02034	34.55%
Southern Pacific Co.	344,814,575	17,160,454	1.16485	.01010	2.03567	.01843	47.27%
Tooele Valley Ry. Co.	1,989,735	589,590	.19157	.02818	.05011	.01002	146.09%
Utah Valley Railway Co., The	268,342,421	17,192,050	.63657	.00889	1.15429	.01654	66.02%
Utah Pacific R. R. Co.	91,025,373	2,978,899	1.03794	.01163	1.90760	.01552	66.52%
Western Pacific R. R. Co., The	183,534,441		.96262	.00811			78.45%
TOTAL	2,264,709,683	121,912,728	\$ 1.04612	\$.01602	\$ 1.68169	\$.01709	75.05%

*Information not available.

REVENUE FREIGHT CARRIED WITHIN THE STATE OF UTAH DURING THE YEAR 1935
CLASS I AND CLASS II STEAM RAILROADS*

Groups of Commodities	Revenue Freight Originating on Carriers' Roads Within the State		All Other Revenue Freight Carried Within the State		Total Revenue Freight Carried Within the State		Total Revenue Freight Terminating on Carriers' Roads Within State	
	No. of Carloads	No. of Tons (2,000 lb.)	No. of Carloads	No. of Tons (2,000 lb.)	No. of Carloads	No. of Tons (2,000 lb.)	No. of Carloads	No. of Tons (2,000 lb.)
Products of agriculture.....	14,194	506,696	111,552	1,818,656	125,746	2,325,352	18,674	695,669
Animals and products.....	9,846	116,070	15,212	219,924	25,058	335,994	6,540	80,017
Products of mines.....	87,002	4,310,584	39,293	1,910,271	126,295	6,220,855	69,062	3,648,188
Products of forests.....	96	3,003	42,008	1,143,283	42,104	1,146,291	2,710	78,005
Manufactures and miscellaneous.....	20,251	733,165	81,884	2,016,336	102,135	2,749,501	19,613	504,901
Trans-state traffic not subdivided by commodities**			372,748	8,848,341	372,748	8,848,341		
Grand Total, Carload Freight.....	131,389	5,669,523	662,697	15,956,811	794,086	21,626,334	116,599	5,006,780
All L. C. L. Freight		34,296		86,214†		120,510†		44,813
Grand Total, Carload and L. C. L. Freight.....		5,703,819		16,043,025		21,746,844		5,051,593

*Includes Bingham & Garfield Ry. Co., The Denver & Rio Grande Western R.R. Co., Los Angeles & Salt Lake R.R. Co., Oregon Short Line R. R. Co., Southern Pacific Co., Tooele Valley Ry. Co., Union Pacific R. R. Co., Utah Railway Co., and The Western Pacific R. R. Co.

**Includes trans-state shipments both carload and L. C. L. on L. A. & S. L. R. R., O. S. L. R. R., and U. P. R. R.

†Does not include trans-state L. C. L. traffic on L. A. & S. L. R. R., O. S. L. R. R., and U. P. R. R. which traffic is included in "trans-state traffic not subdivided by commodities." A subdivision of trans-state L. C. L. traffic for these three carriers is not furnished.

CLASS III—STEAM RAILROADS
OPERATIONS WITHIN STATE OF UTAH

Year Ended December 31, 1935

	Carbon County Railway Company	Deep Creek Railroad Company
Operating revenues:		
Freight revenues	\$ 45,917.07	\$ 4,670
Other operating revenues		685
Total operating revenues	\$ 45,917.07	\$ 5,355
Operating expenses:		
Maintenance of way and structures.....	\$ 10,055.86	\$ 5,744
Maintenance of equipment	1,093.36	831
Traffic expenses	2,621.82	122
Transportation—Rail line	10,437.65	5,010
General	8,005.85	872
Total operating expenses	\$ 32,214.54	\$12,579
Net revenue from railway operations.....	\$ 13,702.53	\$ 7,224 R
Railway tax accruals	3,305.07	802
Railway operating income	\$ 10,397.46	\$ 8,026 R

MISCELLANEOUS STATISTICS

Average mileage of road operated.....	4.72	46.00
Tons revenue freight carried:		
Products of agriculture	101	35
Animals and products		102
Products of mines	226,052	2,703
Products of forests	159	
Manufactures and miscellaneous	765	120
All L. C. L. freight.....	116	61
Total tons revenue freight carried.....	227,193	3,021
Revenue passengers carried		32
Train-miles	1,530	4,674
Locomotive-miles	1,530	6,082
Car-miles	31,601	16,169
Operating ratio	70.16%	234.90%

R denotes red figure or deficit.

ELECTRIC INTERURBAN RAILROADS—OPERATIONS WITHIN STATE OF UTAH,
YEAR ENDED DECEMBER 31, 1935

Name of Carrier	OPERATING REVENUES				MISCELLANEOUS STATISTICS			
	Freight Revenues	Passenger Revenues	Other Operating Revenues	Total Operating Revenues	Road and Equipment End of Year	Tax Accruals	Average Number	Employees Aggregate Salaries & Wages Paid for Year
Bamberger Electric R. R. Co.....	\$ 253,300.95	\$107,697.35	\$ 18,302.81	\$ 379,301.11	\$3,681,915.14	\$ 24,266.04	109	\$ 108,211.55
Salt Lake Garfield & Western Ry. Co.....	72,793.53	19,599.72	509.00	92,902.25	1,586,523.25	7,238.58	21	23,086.45
Salt Lake & Utah R. R. Co.....	397,571.12	63,768.26	21,013.20	482,352.58	5,493,191.77	35,318.28	153	185,531.43
Utah Idaho Central R. R. Co., The*	403,193.70	64,447.15	46,921.60	514,562.45	5,588,006.72	40,473.26	141	188,493.42
TOTAL.....	\$1,126,859.30	\$255,512.48	\$6,746.61	\$1,469,118.39	\$16,259,636.83	\$107,296.16	424	\$ 505,322.85

Name of Carrier	OPERATING EXPENSES					Total Operating Expenses
	Way and Structures	Equipment	Power	Conducting Transportation	General and Miscellaneous	
Bamberger Electric R. R. Co.....	\$ 60,078.43	\$ 35,207.32	\$ 46,294.57	\$ 57,097.77	\$ 12,712.16	\$ 325,117.36
Salt Lake Garfield & Western Ry. Co.....	10,230.90	14,708.44	12,858.60	14,128.27	2,940.32	62,387.95
Salt Lake & Utah R. R. Co.....	55,529.20	40,487.86	55,247.22	97,516.28	20,643.28	400,917.81
Utah Idaho Central R. R. Co., The*	62,600.59	40,414.52	59,613.93	117,827.62	10,111.39	367,346.48
TOTAL.....	\$188,439.12	\$130,818.14	\$174,014.32	\$286,569.94	\$ 46,407.75	\$1,156,769.60

*Includes operations in Utah and Idaho.

Figures cover rail and motor bus operations.

ELECTRIC INTERURBAN RAILROADS—OPERATIONS WITHIN STATE OF UTAH, YEAR
ENDED DECEMBER 31, 1935
MILEAGE, TRAFFIC, AND MISCELLANEOUS STATISTICS

Name of Carrier	Miles of Road Operated	Tons Revenue Freight Transported	Revenue Passengers Carried	Average Fare Per Passenger	Total Car Mileage	Total Car Hours
Bamberger Electric R. R. Co.....	36.90	*	454,009	\$.23721	842,198	63,300
Salt Lake Garfield & Western Ry. Co.....	16.31	*	332,048	.05902	154,182	6,795
Salt Lake & Utah R. R. Co.....	76.10	380,718	192,392	.33145	1,169,985	119,426
Utah Idaho Central R. R. Co., The (1)....	117.12	326,060	240,692	.16464	1,306,866	46,196
Utah Idaho Central R. R. Co., The (2)....			159,548	.15556	155,766	8,059
Total	246.43	706,778	1,378,689	\$.18958	3,628,997	273,775

Name of Carrier	Operating Revenues Per Car-Mile	Operating Revenues Per Car-Hour	Operating Expenses Per Car-Mile	Operating Expenses Per Car-Hour	Operating Ratio
Bamberger Electric R. R. Co.....	\$.45037	\$ 5.99212	\$.38603	\$ 5.13613	85.71%
Salt Lake Garfield & Western Ry. Co.....	.60254	13.67214	.40788	9.25503	67.69%
Salt Lake & Utah R. R. Co.....	.41227	4.03892	.34267	3.35704	83.11%
Utah Idaho Central R. R. Co., The (1)....	.37475	6.42750	.26164	4.48746	(71.48%
Utah Idaho Central R. R. Co., The (2)....	.15934	3.07969	.16643	3.21680	(
Total	\$.39985	\$ 6.64207	\$.31293	\$ 5.09049	77.00%

(1) Rail line operations, Utah and Idaho.

(2) Motor bus operations, Utah and Idaho.

* Information not available.

NUMBER OF ACCIDENTS OCCURRING ON COMMON CARRIERS BY RAIL OPERATING IN UTAH,

JULY 1, 1935 TO JUNE 30, 1936

Name of Carrier	Train Accidents	Train Service Accidents	Non-Train Accidents	Total Accidents
Steam Railroads and Terminal Companies:				
Bingham and Garfield Ry. Co.....	5	3	5	13
Denver & Rio Grande Western R. R. Co., The.	37	60	44	141
Los Angeles & Salt Lake R. R. Co.*	1	2	1	4
Ogden Union Railway & Depot Co.	1	4	1	6
Oregon Short Line R. R. Co.*.....	1	5	4	10
Salt Lake City Union Depot & R. R. Co., The..			1	1
Southern Pacific Co.	4	1	7	12
Tooele Valley Railway Co.....			1	1
Union Pacific R. R. Co.....	14	12	7	33
Utah Railway Co.	1	3	5	9
Western Pacific R. R. Co., The.....	7	2	2	11
TOTAL	71	92	78	241
Electric Interurban Railroads:				
Bamberger Electric R. R. Co.....		4	3	7
Salt Lake and Utah R. R. Co.....	1	9	11	21
Salt Lake Garfield & Western Ry. Co.		1	2	3
Utah-Idaho Central R. R. Co., The.....	1	9	9	19
TOTAL	2	23	25	50
GRAND TOTAL	73	115	103	291

Note: Roads reporting no accidents are omitted from above tabulation.

*Figures cover period July 1, 1935 to Dec. 31, 1935. Figures for period Jan. 1, 1936 to June 30, 1936, are included in Union Pacific R. R. Co. figures.

REPORT OF PUBLIC SERVICE COMMISSION

ACCIDENTS TO PERSONS FROM STEAM AND ELECTRIC RAILROAD OPERATIONS WITHIN
THE STATE OF UTAH, JULY 1, 1935 TO JUNE 30, 1936

Name of Carrier	Passengers		Pedestrians or Occupants of Motor Vehicles		Employees		Trespassers		Non- Trespassers		Grand Total	
	Killed	In- jured	Killed	In- jured	Killed	In- jured	Killed	In- jured	Killed	In- jured	Killed	In- jured
Steam Railroads and Terminal Companies:												
Bingham and Garfield Ry. Co.						5						7
Denver & Rio Grande Western R. R. Co.	1	3	2	18	1	80	4	11	2		8	112
Los Angeles & Salt Lake R. R. Co.*			2			1		1			2	2
Ogden Union Railway & Depot Co.		2			1	2					1	4
Oregon Short Line R. R. Co.*				3		5	1				1	8
Salt Lake City Union Depot and R. R. Co.						1						1
Southern Pacific Co.						8						8
Tooele Valley Railway Co.						1						1
Union Pacific R. R. Co.			1	3		10	2	4			3	17
Utah Railway Co.				1		7					8	8
Western Pacific R. R. Co., The						3	1				1	3
TOTAL	1	5	5	25	2	123	8	16	2		16	171
Electric Interurban Railroads:												
Bamberger Electric R. R. Co.		1		2		3					1	6
Salt Lake and Utah R. R. Co.			1	6	1	14	1				2	20
Salt Lake, Garfield & Western Ry. Co.		1				2						3
Utah-Idaho Central R. R. Co., The				1	2	15					2	16
TOTAL		2	1	9	3	34	1				5	45
GRAND TOTAL	1	7	6	34	5	157	9	16	2		21	216

Note: Roads reporting no accidents are omitted from above tabulation.

*Figures cover period July 1, 1935 to December 31, 1935. Figures for period January 1, 1936 to June 30, 1936, are included in Union Pacific R. R. Co. figures.

RAILWAY WITH HIGHWAY GRADE CROSSINGS AND CROSSING PROTECTION WITHIN THE
STATE OF UTAH, STEAM RAILROADS AND TERMINAL COMPANIES,
DECEMBER 31, 1935

Name of Carrier	Gates, with or without other protection, operated 24 hours per day	Gates, with or without other protection, operated less than 24 hours per day	Watchmen, alone or with protection other than gates, on duty 24 hours per day	Watchmen, alone or with protection other than gates, on duty less than 24 hours per day	Both audible and visible signals, without other protection	Audible signals only	Visible signals only	Special fixed signs or barriers, with or without standard fixed signs	Standard fixed signs only	Otherwise unprotected	GRAND TOTAL
Bingham and Garfield Ry. Co.....					1	10			7	1	9
Denver & Rio Grande Western R. R. Co., The.....					15				613		645
Los Angeles & Salt Lake R. R. Co.....					4	6		1	414		418
Ogden Union Railway and Depot Co., The.....					1				19		29
Oregon Short Line R. R. Co.....					41	13		13	228		307
Southern Pacific Co.....		2				4			18		22
Tooele Valley Ry. Co.....								2	10		12
Union Pacific R. R. Co.....					1	3		4	36		44
Utah Railway Co.....								14	5		19
Western Pacific R. R. Co., The.....									43		43
GRAND TOTAL.....	1	2		18	63	36		34	1,393	1	1,548

REPORT OF PUBLIC SERVICE COMMISSION

RAILWAY WITH RAILWAY GRADE CROSSINGS AND CROSSING PROTECTION WITHIN THE
STATE OF UTAH, STEAM RAILROADS AND TERMINAL COMPANIES, DECEMBER 31, 1935

Name of Carrier	With Other Steam Railroads						With Electric and Street Railroads							
	By interlocking devices	By automatic signals (automatic interlocking)	By derrails on one line only	By hand operated signals (not interlocked)	By gates	Unprotected	TOTAL	By interlocking devices	By automatic signals (automatic interlocking)	By derrails on one line only	By hand operated signals (not interlocked)	By gates	Unprotected	TOTAL
Bingham and Garfield Ry Co.	1					13	1						3	3
Denver & Rio Grande Western R. R. Co., The	1			1		1	15	1				1	3	2
Los Angeles & Salt Lake R. R. Co.	2			1	1	2	4						3	3
Ogden Union Railway & Depot Co., The					1	3	4						4	6
Oregon Short Line R. R. Co.	1							2						
Southern Pacific Co.														
Tooele Valley Railway Co.						1	1							
Union Pacific R. R. Co.														
Utah Railway Co.						3	3							
Western Pacific R. R. Co., The														
GRAND TOTAL	5			2	1	23	31	3				1	10	14

Crossings of railroad with railroad are reported only by the carrier which performs the actual maintenance of the signal or interlocking protection, or by the carrier which maintains the crossing frogs where no protection exists.

STREET RAILWAYS, OPERATIONS WITHIN THE STATE OF UTAH
YEAR ENDED DECEMBER 31, 1935

Name of Carrier	OPERATING REVENUES AND MISCELLANEOUS STATISTICS									
	Passenger Revenues	Other Operating Revenues	Total Operating Revenues	Operating Revenues Per Car-Mile	Operating Expenses Per Car-Mile	Operating Expenses Per Car-Hour	Tax Accruals			
Utah Light & Traction Co. (1).....	\$1,031,580.40	\$11,060.35	\$1,042,640.75	\$.22101	\$ 2,552.79	\$ 1.7943	\$71,995.00			
Utah Rapid Transit Co. (2).....	138,278.51	15,348.72	153,627.23	.16200	1,498.53	1.6081	3,425.68			
Utah Rapid Transit Co. (3).....				.19173	2,296.12	1.2873				
Total	\$1,169,858.91	\$26,409.07	\$1,196,267.98	\$.19158	\$ 2,115.81	\$ 1.5632	\$75,420.68			

Name of Carrier	OPERATING EXPENSES							
	Way and Structures	Equipment	Power	Conducting Transportation	Traffic	General and Miscellaneous	Transportation for Investment-Cr.	Total Operating Expenses
Utah Light & Traction Co. (1).....	\$ 70,871.45	\$167,072.82	\$ 162,553.43	\$296,997.98	\$ 7,486.67	\$141,796.48	\$ 264.49	\$846,519.34
Utah Rapid Transit Co. (2) (3)....	7,769.94	27,474.78	24,619.25	56,897.98	1,096.75	23,279.15		146,137.85
Total	\$ 78,641.39	\$194,547.60	\$ 187,172.68	\$353,895.96	\$ 8,583.42	\$170,075.63	\$ 264.49	\$992,657.19

Name of Carrier	MISCELLANEOUS STATISTICS							
	Road and Equipment End of Year	Mileage of Road Operated	Regular Fare Carried	Free Transfer Passengers	Total Carried Passengers	Average Fare Per Passenger	Total Car Mileage	Total Car Hours
Utah Light & Traction Co. (1).....	\$6,868,039.01	54.66	15,171.451	2,095,997	17,267,448	\$.05974	4,717,685	408,432
Utah Rapid Transit Co. (2).....	1,446,978.63	29.70	2,527,358	232,737	2,760,085	.04292	826,000	89,294
Utah Rapid Transit Co. (3).....			419,871	31,047	450,918	.04395	103,362	8,631
Total	\$8,315,017.64	84.36	18,118,680	2,359,771	20,478,451	\$.04887	5,647,047	506,357

(1) Includes rail, electric coach, and gasoline bus operations.

(2) Rail line operations.

(3) Motor bus operations.

Utah Rapid Transit Company discontinued street car system and instituted motor bus system in Ogden during 1935.

ELECTRIC UTILITIES—OPERATIONS IN STATE OF UTAH
YEAR ENDED DECEMBER 31, 1935
Operating Revenues and Expenses

Name of Company	Sales of Electricity	Merchandise and Miscellaneous	Total Operating Revenues	Operating Expenses	Uncollectible Bills	Taxes	Total Revenue Deductions	Operating Income	Plant Rentals	Balance of Income
Utah Power & Light Co. §.....	\$8,799,849.58	\$121,902.98†	\$8,921,752.56	\$3,475,446.53	\$ 90,678.95	\$1,470,106.82	\$5,036,232.30	\$3,885,520.26	\$501,293.94	\$3,384,226.32
Telluride Power Co.	287,547.70	11,563.73	299,111.43	180,075.67	5,504.02	30,900.00	216,479.69	82,631.74		82,631.74
Southern Utah Power Co.	182,742.31	1,875.56	184,617.87	78,123.90	913.78	20,091.57	99,129.25	85,488.62		85,488.62
Uintah Power & Light Co.	40,052.08	432.96	40,485.04	23,123.92	1,500.00	4,677.55	29,301.47	11,183.57		11,183.57
Bountiful Light & Power Co..	32,223.84	1,555.85	33,779.69	35,749.76	644.28	2,957.33	39,351.37	5,571.68R		5,571.68R
Big Springs Power Co.	18,653.69	33.46	18,687.15	12,274.01	820.14	1,725.93	14,820.08	3,867.07		3,867.07
Swan Creek Electric Co.	11,150.60		11,150.60	7,241.23		867.27	8,108.50	3,042.10		3,042.10
Western States Utilities Co..	5,987.12	13.94	6,001.06	4,513.36	30.02	384.51	4,927.89	1,073.17		1,073.17
Peoples Light & Power Co..	5,300.97		5,300.97	6,301.31	75.00	866.36	7,242.67	1,941.70R		1,941.70R
Blue Mountain Irrigation Co..	3,689.44		3,689.44	3,379.60		213.20	3,592.80	96.64		96.64
Goshen Electric Co.	3,912.68		3,912.68	3,207.79		224.84	3,432.63	480.05		480.05
Leland Electric L. & Tel. Co..	1,898.23	460.00‡	2,358.23	2,340.03	29.04	152.01	2,521.08	162.85R		162.85R
North Logan T. & E. L. Co..	1,749.95	649.10*	2,399.05	1,424.90		274.70	1,699.60	699.45		699.45
Escalante Light & Power Co..	1,444.75		1,444.75	1,795.00	300.00	157.23	2,252.23	807.48R		807.48R
Total.....	\$9,396,202.94	\$138,487.58	\$9,534,690.52	\$3,834,997.01	\$100,495.23	\$1,533,599.32	\$5,469,091.56	\$4,065,598.96	\$501,293.94	\$3,564,305.02

‡ Telephone revenues.

* Includes \$645.60 telephone revenues.

§ System operations.

† Includes steam heating revenues of \$114,978.30.

R Denotes red figure.

ELECTRIC UTILITIES, MISCELLANEOUS STATISTICS, YEAR ENDED DECEMBER 31, 1935

Name of Company	Investment in Fixed Capital End of Year	Capital Stock Outstanding End of Year		Long Term Debt Outstanding End of Year	Dividends Declared During Year Year	Number of Employees End of Year	No. of Installed Generators			Total Rated Capacity (K. W.)
		Common	Preferred				Hydro	Steam	Internal Combustion	
Utah Power & Light Co.**	\$81,746,393.85	\$30,000,000.00	\$24,958,787.16	\$45,021,000.00	\$284,126.84	1,744	66	10		223,282
Telluride Power Co.	1,707,888.91	912,597.00	28,100.00	726,900.00	24,781.92	55	6		2	2,760
Southern Utah Power Co.	1,611,150.38	740,650.00	317,975.00*	653,980.58	10,500.00	60	4		6	4,778
Uintah Power & Light Co.	345,098.78	190,000.00	44,200.00	121,600.00		7	1			600
Bountiful Light & Power Co.	79,582.47	41,444.00		85,000.00		6				400
Big Springs Power Co.	119,152.32	20,000.00				5	2			345
Swan Creek Electric Co.	43,088.00	34,250.00				6	2			
Western States Utilities Co.†	24,577.68					1				150
Peoples Light & Power Co.	30,614.41	29,000.00				4	1			
Blue Mountain Irrigation Co.§										
Goshen Electric Co.	10,000.00	10,000.00†				1				
Leland Electric L. & Tel. Co.	4,400.00	4,400.00			176.00	1				
North Logan Tel. & Elec L. Co.	9,107.94	3,500.00			280.00	1				
Escalante Light & Power Co.	7,650.00	7,650.00				1	1		1	62.25
Total	\$85,738,704.74	\$31,993,491.00	\$25,349,062.16	\$46,608,480.58	\$319,864.76	1,892	83	10	9	232,377.25

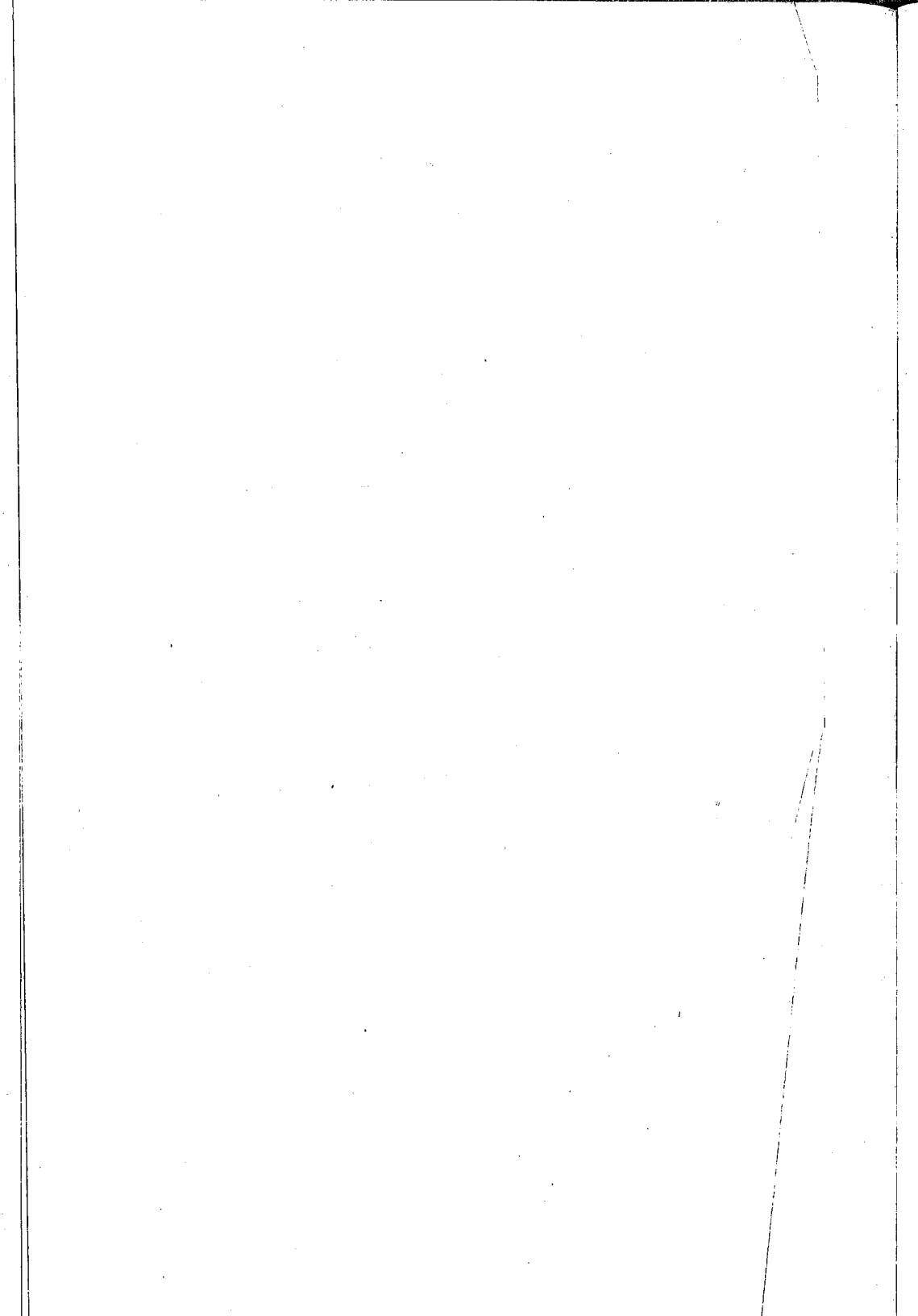
* Includes \$300,000 "Prior Preference" stock.

‡ The major portion of this Company's operations is in states other than Utah. For this reason figures on capital stock and long term debt are not shown in this schedule as no allocation is made to Utah.

† Figure represents individual ownership equity.

§ Information not available.

** System figures.



ELECTRIC UTILITIES—KILOWATT-HOUR STATISTICS, YEAR ENDED DECEMBER 31, 1935

Name of Company	Station Output During Year (K.W.H.'s)	Received From Other Companies (K.W.H.'s)	Total to Account for (K.W.H.'s)	Delivered to Customers (K.W.H.'s)	Furnished Free to Municipalities (K.W.H.'s)	Used by Respondent (K.W.H.'s)	Total Accounted for (K.W.H.'s)	Unaccounted for (K.W.H.'s)
Utah Power & Light Co.†	362,267,000	202,040,000	564,307,000	465,061,000		3,812,000	468,873,000	95,434,000
Telluride Power Co.	9,931,920	2,102,320	12,034,240	7,424,000			7,424,000	4,610,240
Southern Utah Power Co.	6,975,760	512,200	7,487,960	5,913,875		122,516	6,036,391	1,451,569
Uintah Power & Light Co.	708,866		708,866	567,093			567,093	141,773
Bountiful Light & Power Co.		768,089	768,089	590,331			590,331	177,758
Big Springs Power Co.	838,250	88,400	926,650	836,170*		7,300*	861,320*	65,330*
Swan Creek Electric Co.	222,222*		222,222*	210,000*	17,850*		210,000*	12,222*
Western States Utilities Co.		92,390	92,390	67,340			67,340	25,050
People's Light & Power Co.	361,480		361,480	235,480			235,480	126,000
Blue Mountain Irrigation Co.‡								
Goshen Electric Co.		71,140	71,140	52,600			52,600	2,000
Leland Elec. Light & Tel. Co.		54,600	54,600	23,728			23,728	15,732
No. Logan Tel. & Elec. L. Co.		39,460	39,460	9,632			9,632	
Escalante Light & Power Co.	9,632		9,632					
Total	381,315,130	205,768,599	587,083,729	480,991,249	17,850	3,941,816	484,950,915	102,061,674

† System figures.

‡ No record.

* Estimated.

ELECTRIC UTILITIES—OPERATIONS IN STATE OF UTAH
YEAR ENDED DECEMBER 31, 1935

Name of Company	Number of Customers at December 31, 1935					Consumption in K.W.H.'s During Year				
	Residential and Farm	Commer- cial	Industrial	Municipal and Others	Total Number of Customers	Residential and Farm	Commer- cial	Industrial	Municipal and Others	Total K.W.H. Consump- tion
Utah Power & Light Co.†	87,040	8,878	1,823	1,033	98,774	66,331,000	41,762,000	301,987,000	54,981,000	465,061,000
Telluride Power Co.	4,160	490	264	29	4,943	1,758,300*	857,400*	3,685,800*	1,122,500*	7,424,000*
Southern Utah Power Co.	2,458	415	72	11	2,956	3,741,688	1,228,166	783,530	160,491	5,913,875
Utah Power & Light Co.	406*	132*	66*	4*	608	418,053	74,457	81,485	16,336	567,093
Bountiful Light & Power Co.	608	51	5	5	669	132,000*	21,420*	130,000*	552,750*	590,331
Big Springs Power Co.	530	21	7	6	564	104,000*	21,000*	73,000*	12,000*	836,170*
Swan Creek Electric Co.	320	10	4	1	335	34,099	2,577	30,664		210,000*
Western States Utilities Co.	107	16	2	6	125	85,680	7,200			67,340
Peoples Light & Power Co.	344	6			356					235,480
Blue Mountain Irrigation Co.\$.										
Goshen Electric Co.	135	10	1	1	147		\$		\$	\$
Leland Electric Light & Tel. Co.	56		1		57	28,010		24,590		52,600
No. Logan T. & Elec. L. Co.	67				67	23,728				23,728
Escalante Light & Power Co.	97				97	9,632				9,632
TOTAL	96,328	10,029	2,245	1,096	109,698	72,666,190	43,974,220	306,796,069	56,987,677	480,991,249

†System figures.

*Estimated.

†Segregation not available.

\$No record.

REPORT OF PUBLIC SERVICE COMMISSION

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GAS UTILITIES—OPERATIONS IN STATE OF UTAH, YEAR ENDED DECEMBER 31, 1935

Name of Company	Sales of Gas	Merchandise and Miscellaneous	Total Operating Revenues	Operating Expenses	Uncollectible Bills	Taxes	Total Revenue Deductions	Operating Income
Ogden Gas Company*	\$ 138,363.44	\$ 501.04	\$ 138,864.48	\$ 126,350.37	\$ 968.63	\$ 5,558.48	\$ 132,877.48	\$ 5,987.00
Utah Gas & Coke Co.*	481,992.64	995.59R	480,997.05	419,625.98	423.96	21,982.03	442,031.97	38,965.08
Wasatch Gas Company*	243,352.35	2,414.21R	240,938.14	253,183.36	1,686.03	11,082.25	265,951.64	25,013.50R
Mountain Fuel Supply Co.†	1,168,202.83	25,690.84	1,193,893.67	916,340.25	4,081.50	193,150.23	1,113,571.98	80,321.69
Uintah Gas Company	20,537.46	1,579.87	22,117.33	10,523.83	496.22	2,331.48	13,351.53	8,765.80
TOTAL	\$2,052,448.72	\$24,361.95	\$2,076,810.67	\$1,726,023.79	\$ 7,656.34	\$234,104.47	\$1,967,784.60	\$109,026.07

Name of Company	Investment in Fixed Capital End of Year	Capital Stock Outstanding End of Year	Common	Pref.	Long Term Debt Outstanding End of Year	Dividends Declared During Year	No. of Employees End of Year	Transmission Mains (Feet) End of Year	Distribution Mains (Feet) End of Year
Mountain Fuel Supply Co.	\$24,502,012.30	\$20,000,000.00	\$			199,773.82	301	2,348,031	3,456,462
Utah Gas Company	106,365.83	40,000.00	40,000.00				3	58,900	36,800
TOTAL	\$24,608,378.13	\$20,040,000.00	\$40,000.00			199,773.82	304	2,406,931	3,493,262

Name of Company	No. of Customers End of Year	No. of Meters End of Year	Domestic	Industrial	Cubic Feet of Gas Sold	Average B.T.U. per Cubic Foot			
Ogden Gas Company*					Domestic	Natural Manufactured			
Utah Gas & Coke Co.*					157,896,000	265,081,000	1,007		
Wasatch Gas Company*					644,345,000	543,675,000	1,007		
Mountain Fuel Supply Co.†	22,022	27,699	634		131,875,000	1,742,099,000	1,007		
Uintah Gas Company	216	216	1		909,241,000	4,759,310,000	1,005		
TOTAL	22,238	27,915	635	1	47,325,000	2,185,000	980		560

R denotes red figure or deficit.

*Figures shown for Ogden Gas Co., Utah Gas & Coke Co., and Wasatch Gas Co. cover period Jan. 1, 1935 to May 7, 1935.

†Figures shown for Mountain Fuel Supply Co. cover period May 7, 1935 to Dec. 31, 1935.

The Mountain Fuel Supply Co. was formed on May 7, 1935, through a consolidation and merger of Ogden Gas Co., Utah Gas & Coke Co., Wasatch Gas Co., and certain other companies.

THE MOUNTAIN STATES TELEPHONE AND
TELEGRAPH COMPANY
OPERATIONS WITHIN STATE OF UTAH
Year Ended December 31, 1935

Operating revenues:	
Local service revenues	\$ 2,127,171.84
Toll service revenues	807,285.52
Miscellaneous revenues	98,534.99
Total operating revenues	\$ 3,032,991.85
Operating expenses and deductions:	
Operating expenses	\$ 2,172,794.10
Uncollectible revenues	4,881.08
Taxes	319,395.12
Total operating expenses and deductions.....	\$ 2,497,070.30
Net operating income	\$ 535,921.55
Plant and equipment at Dec. 31, 1935.....	\$12,979,052.17

Plant and Operating Statistics

Stations as of December 31, 1935:

Main telephones—Urban	40,702
Main telephones—Rural	3,488
Private branch exchange telephones.....	10,200
Extension telephones	5,073
Total company stations	59,463
Average number of local calls originating on company's lines per month	10,243,544
Average number of toll calls originating on company's lines per month	238,492
Average number of local calls originating on company's lines per telephone per month	175.50
Average number of toll calls originating on company's lines per telephone per month.....	4.09
Number of central offices:	
Magneto—Manual	24
Common battery—Manual	31
Total number of central offices.....	55
Plant mileage: (Owned mileage)	
Miles of pole line.....	4,043
Miles of wire in cable.....	188,520
Miles of aerial wire.....	27,829
Miles of underground conduit (single duct).....	305
Miles of phantom circuit	3,007
Miles of carrier channel	3,077

REPORT OF PUBLIC SERVICE COMMISSION

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INDEPENDENT TELEPHONE UTILITIES—OPERATIONS IN STATE OF UTAH

YEAR ENDED DECEMBER 31, 1935

Name of Company	Location	Total Operating Revenues	Operating Expenses	Taxes	Total Operating Deductions	Operating Income	Plant and Equipment End of Year	No. of Customers End of Year
Bear River Valley Tel. Co.....	Tremonton	\$13,294.51	\$ 9,884.26	\$ 340.60	\$10,224.86	\$3,069.65	\$ 52,432.27	482
Big Springs Power Co.....	Fountain Green	884.25	1,243.17*	59.50	1,307.67	443.42R	4,106.27	45
Castle Dale Tel. Co.†.....	Castle Dale							
Eastern San Juan Tel. Co.....	Monticello	92.27	68.14	.49	68.63	23.64	1,225.00	9
Gunnison Tel. Co.....	Gunnison	5,834.62	5,143.42*	913.51	6,056.93	222.31R	26,813.24	224
Kamas-Woodland Tel. Co.....	Kamas	2,936.42	2,748.62	67.50	2,814.12	122.30	10,000.00	110
Manti Tel. Co.....	Manti	6,418.52	4,699.73	645.16	5,344.89	1,073.63	15,000.00	325
Midland Tel. Co., The.....	Moab	11,486.52	10,113.98*	277.49	10,391.47	1,095.05	44,946.18	200
Millard County Teleg. & Tel. Co.....	Fillmore	18,898.84	18,544.22	2,146.71	20,690.93	1,792.09R	102,137.52	346
Moroni Tel. Co.....	Moroni	1,861.54	1,939.80	114.00	2,053.80	192.26R	6,216.12	69
North Logan Tel. & Elec. L. Co.‡.....	North Logan							
Park Valley Rosette Tel. Co.....	Rosette	171.34	258.76	2.56	261.32	89.98R	3,835.00	25
Utah-Wyo. Ind. Tel. Co.....	Randolph	2,313.28	3,164.50	247.59	3,412.09	1,098.81R	8,434.00	22
TOTAL.....		\$64,172.11	\$57,811.60	\$ 4,815.11	\$62,626.71	\$1,545.40	\$275,145.60	1906

†Report not filed.

*Includes uncollectible accounts.

‡Operating figures included with electric utilities.

R Indicates red figure or deficit.

TELEGRAPH AND CABLE CORPORATIONS

OPERATIONS FOR YEAR ENDED DECEMBER 31, 1935

	Postal Telegraph- Cable Company of Utah (1)	The Western Union Tele- graph Com- pany (2)
Operating revenues:		
Commercial telegraph tolls	\$77,041.89	\$ 68,277,569.29
Other revenues from transmission-telegraph....	4,887.90	9,887,769.81
Revenues from transmission-cable.....		5,961,349.09
Nontransmission revenues	11,575.69	7,176,266.45
Contract revenues—Dr.	543.62	1,434,381.48
Total operating revenues	\$92,961.86	\$ 89,868,573.16
Operating expenses:		
Maintenance expenses	\$ 16,553.67	\$ 15,425,895.07
Conducting operations	64,512.25	54,220,546.64
General and miscellaneous expenses	5,045.54	4,150,676.73
Total operating expenses	\$86,111.46	\$ 73,797,118.44
Net operating revenues	\$ 6,850.40	\$ 16,071,454.72
Uncollectible operating revenues.....	624.00	629,080.00
Taxes assignable to operations.....	5,472.93	3,400,000.00
Deductions from net operating revenues....	\$ 6,096.93	\$ 4,029,080.00
Operating income	\$ 753.47	\$ 12,042,374.72
Investment in plant and equipment end of year.	\$50,000.00	\$324,917,070.90

(1) Covers operations in State of Utah only.

(2) Covers operations of company as a whole.

RAILWAY EXPRESS AGENCY OPERATIONS FOR YEAR ENDED DECEMBER 31, 1935

System Operations

Operating revenues:	
Charges for transportation	\$138,750,744.19
Express privileges—Dr.	53,169,611.54
<hr/>	
Revenue from transportation	85,581,132.65
Revenues from operations other than transportation....	2,487,357.13
<hr/>	
Total operating revenues	\$ 88,068,489.78
Operating expenses:	
Maintenance	\$ 4,300,663.42
Traffic	512,448.34
Transportation	75,731,150.45
General	4,354,869.77
<hr/>	
Total operating expenses	\$ 84,899,131.98
<hr/>	
Net operating revenue	\$ 3,169,357.80
Uncollectible revenue from transportation	18,484.30
Express taxes	1,547,602.54
<hr/>	
Operating income	\$ 1,603,270.96
Investment in real property and equipment, end of year. .	\$ 47,927,527.77

THE PULLMAN COMPANY OPERATIONS FOR YEAR ENDED DECEMBER 31, 1935

System Operations

Revenues:	
Sleeping car operating revenues	\$ 48,428,024.13
Revenues from auxiliary operations	1,635,439.26
<hr/>	
Total revenues	\$ 50,063,463.39
Sleeping car operating expenses:	
Maintenance	26,575,829.79
Conducting car operations	19,720,059.52
General expenses	2,780,803.22
<hr/>	
Total expenses of sleeping car operations	\$ 49,076,692.53
Expenses of auxiliary operations	1,488,389.97
<hr/>	
Total operating expenses	\$ 50,565,082.50
<hr/>	
Net revenues	\$ 501,619.11R
<hr/>	
Sleeping car tax accruals	\$ 1,125,833.89
Auxiliary operations—tax accruals	19,527.51
<hr/>	
Total taxes	\$ 1,145,361.40
<hr/>	
Operating income	\$ 1,646,980.51R
<hr/>	
Investment in sleeping car property, end of year	\$244,091,468.89

R denotes red figure or deficit.

Note: Figures covering Utah operations only of above companies are not available.

WATER UTILITIES—OPERATIONS WITHIN THE STATE OF UTAH
YEAR ENDED DECEMBER 31, 1935

Name of Company	Location	Total Operating Revenues	Operating Expenses	Taxes	Total Operating Deductions	Operating Income	Plant and Equipment End of Year	No. of Customers End of Year
Birch Creek Canyon Water Co.	Ogden	\$ 1,474.90	\$ 1,243.13	\$ 165.67	\$ 1,413.80	\$ 61.10	\$ 20,846.00	163
Echo Water System Co.	Echo	494.96	94.98	21.80	116.78	378.18	4,025.00	29
Henefer Pipe Line Co.	Henefer	33.50	205.18		205.18	171.68R	12,869.00	63
Mammoth Mining Co.	Mammoth	2,768.28	4,189.34	353.86	4,543.20	1,774.92R	64,725.29	115
Moab Pipe Line Co.	Moab	2,503.03	1,824.44	291.74	2,116.18	386.85	10,270.13	100
Miller Ditch Co.	Murray, R. D.	1,018.16	367.50	10.00	377.50	640.66	4,878.60	94
Pleasant Green Water Co.	Magna	10,973.16	7,610.18	1,551.16	9,161.34	1,811.82	61,368.10	550*
Riverton Pipe Line Co.	Riverton	7,718.08	6,227.10	676.11	6,903.21	814.87	81,970.52	16
St. Joseph Water and Irrigation Co.	North Salt Lake	758.00	2,290.00	75.00	2,365.00	1,607.00R	†	229
Ukon Water Co.	Garland	1,607.58	199.42		199.42	1,408.16	60,199.35	92
TOTAL		\$29,349.65	\$24,256.27	\$ 3,145.34	\$27,401.61	\$1,948.04	\$321,151.99	1,451

R denotes red figures.

* Estimated.

† Figures not available.

COMMON MOTOR CARRIERS OPERATING IN INTRASTATE COMMERCE — OPERATIONS WITHIN
STATE OF UTAH, YEAR ENDED DECEMBER 31, 1935.

Name of Line or Operator	Freight and Express Revenues	Passenger Revenues	Mail and Miscellaneous Revenues	Total Operating Revenues	Operating Expenses**	Taxes	Total Deductions	Operating Income
Arrow Auto Line.....	\$ 2,377.00	\$ 1,032.00	\$ 2,350.00	\$ 5,809.00	\$ 5,530.63	\$ 392.28	\$ 5,929.91	\$ 120.91R
Bamberger Transportation Co.....	4,188.60	4,408.88	307.00	4,715.88	3,486.97	737.07	4,224.04	491.84
Barton Truck Line, Inc., The.....	6.20			4,168.60	4,629.65	237.04	4,866.69	698.09R
Bear Lake Stages.....	1,661.92	1,031.21		1,037.41	1,174.55	49.00	1,223.55	186.14R
Bee Hive Stages.....	3,049.25	2,951.75	1,000.00	5,711.17	5,845.03	488.26	6,333.29	622.12R
Bingham Stage Lines Co.....	941.05		5,553.47	9,446.27	10,445.60	610.70	11,076.30	1,630.03R
Black, Martin I.....	408.00			408.00	317.00	63.50	380.50	27.50
B. & O. Transportation Co.....	452.64			452.64	503.32	36.58	539.90	87.26R
Brighton Stage Line.....	102.00	316.00	92.34	510.34	488.99	21.43	510.42	.08R
Brighurst, Lytle, Co.....	2,750.74		8,991.79	11,742.53	8,243.68	324.23	8,567.91	3,174.62
Brinkerhoff, J. D. & Floyd.....	7,971.26			971.26	918.00	93.82	1,011.82	1,746.78
Cameron Truck Line.....	7,532.24			7,532.24	5,137.88	657.58	5,785.46	1,746.78
Chamberlain, John, Truck Line.....	4,500.00			4,500.00	3,300.00	282.00	3,582.00	918.00
Child, James Oscar.....	50.00		3,109.79	3,159.79	2,037.67	152.10	2,189.77	970.02
Colby Truck Line.....	6,395.00			6,395.00	6,295.00	718.65	7,013.65	618.65R
Comet Motor Express Co.\$.....	17,147.21	1,525.77	20,251.54	38,924.52	39,797.88	1,100.68	40,898.56	1,974.04R
Dukey-Salt Lake-Pacific Stages, Inc.*	4,546.62	46,935.81	5,595.20	52,985.63	43,647.10	4,732.97	48,380.07	4,605.56
Duke, E. J.....	838.90	70.00		1,466.90	1,410.00	1,025.50	1,512.50	45.60R
Eastern Utah Transp. Co.....	48,599.43		4,080.49	52,679.92	50,430.01	1,572.35	52,002.37	587.55
Forsey, George.....	2,736.48	12.00	259.64	2,748.48	2,707.35	41.13	2,748.48	
Fuller-Toponce Truck Co.....	40,452.94			40,712.58	36,311.05	3,859.65	40,170.70	541.88
Grantsville-Salt Lake Truck Line.....	607.09		200.00	807.09	786.20	80.61	886.81	187.73
Gouley, George.....		630.00		330.00	786.20	136.54	922.74	92.74R
Hurricane Truck Line.....	2,158.38			2,358.38	1,199.50	1,67.25	1,366.75	791.62
Interstate Transit Lines.....		348,853.21	40,799.50	389,652.71	267,656.44	96,334.14	384,990.58	25,162.13

REPORT OF PUBLIC SERVICE COMMISSION

COMMON MOTOR CARRIERS OPERATING IN INTRASTATE COMMERCE — OPERATIONS WITHIN STATE OF UTAH, YEAR ENDED DECEMBER 31, 1935. (Continued).

Name of Line or Operator	Freight and Express Revenues	Passenger Revenues	Mail and Miscellaneous Revenues	Total Operating Revenues	Operating Expenses**	Taxes	Total Operating Deductions	Operating Income
erson, Jesse N.	329.84			829.84	460.00	128.57	588.57	241.27
ion Coal Corp.	2,865.43		1,200.00	1,200.00	1,850.51		1,850.51	650.51R
Magna Garfield Truck Line.	1,300.84			2,865.43	2,729.34	95.92	2,825.26	40.17
McIntire, B. F.	21,324.92		784.91	1,875.75	1,776.00	45.00	1,821.00	64.75
Moab Garage Co.	38,132.85			21,924.92	20,426.55	2,164.91	22,591.46	666.54R
Moab Garage Co.	4,890.77	1,821.50		30,814.35	35,140.77	7,354.94	42,495.71	2,881.36R
Petty and Riddle, Inc.	165,811.75	75,778.58	5,939.01	10,879.73	9,791.65	7,800.60	10,572.25	307.52
Radio Grande Motor Way, Inc.	5,090.55		43,366.39	255,157.22	250,280.74	23,329.84	273,590.58	11,566.64
Salt Lake Bingham Freight Line	2,910.35	215.50	150.00	3,090.85	4,864.41	23,325.28	5,119.64	29,09R
Salt Lake Coalville Stages	31,135.61			3,275.85	5,735.79	118.59	2,854.38	431.47
Salt Lake Ogden Transp. Co.	2,543.05			31,135.61	30,237.98	1,700.52	32,038.50	902.89R
Salt Lake and Tooele Stage Lines	5,157.80		2,991.66	10,692.51	9,535.03	7,728.55	10,188.58	503.93
Salt Lake Transportation Co.	57,257.20		33,911.39	91,168.59	82,132.32	7,728.63	89,860.95	1,237.64
Southern Utah Truck Co.	19,787.28		90.00	19,877.28	18,326.48	2,400.26	20,926.73	1,090.46R
Southern Transportation Co.	30,013.72			30,013.72	49,473.93	2,349.05	51,822.98	21,809.26R
Stearns, W. F.	4,387.72			4,387.72	4,124.70	361.41	4,486.11	98.39R
Union Pacific Stages, Inc.	112,245.33		8,305.01	120,550.34	85,272.92	28,334.05	114,106.97	6,443.37
Union Central Stages	10.75			205.95	573.55	30.64	604.19	398.24R
Utah Central Truck Line	21,879.28		3,063.25	25,003.20	25,587.41	1,115.34	26,702.75	1,699.55R
Utah Idaho Central R. R. Co., Theif-	299.58			444,239.85*	522,549.91†	34,935.28†	557,485.19	113,245.34R
Utah Parks Co.	29,330.52			37,163.09	34,040.25†	645.21	34,685.46	2,477.63
Utah Transportation Co.	\$527,236.51	\$735,173.07	\$574,218.31	\$1,836,637.89	\$1,695,208.49	\$228,266.61	\$1,923,475.10	\$86,787.21R
TOTAL								

*Includes \$116,932.57 operating revenues outside of Utah.

§Cover operations in Colorado and Utah.

††Figures included in schedule of electric railroads.

‡Includes \$141,857.17 operating expenses outside of Utah.

†Includes \$9,949.51 taxes outside of Utah.

R Denotes red figures or deficit.

‡Covers operations in Utah and Colorado for period June 2, 1935, to Dec. 31, 1935.

**Includes uncollectible accounts.

COMMON MOTOR CARRIERS OPERATING IN INTRASTATE COMMERCE—OPERATIONS WITHIN
STATE OF UTAH, YEAR ENDED DECEMBER 31, 1935
MISCELLANEOUS STATISTICS

Name of Line or Operator	Investment in Property and Equipment End of Year	Tons Freight and Express Trans- ported	No. of Passen- gers Carried	Vehicle Mileage During Year		No. of Motor Vehicles Li- censed for Serv- ice in Utah		Total Route Mileage in Utah
				In Freight Service	In Passenger Service	Property Carrying Vehicles	Passen- ger Carrying Vehicles	
Arrow Auto Line	\$ 4,603.75	577	561	(	56,690)	3	1	49
Bamberger Transportation Co.	21,771.27	593	10,381	21,727	17,701	1	2	37
Barton Truck Line, Inc., The.	8,673.19	1	614			1	1	34
Bear Lake Stages	300.00	104	2,396		22,922	1	3	44
Bee Hive Stages	12,573.25	135	3,492		45,596	1	1	31
Bingham Stage Lines Co.	10,267.15	96		4,368	75,454	1	1	27
Black, Martin I.	1,178.00 *	300		7,464		1		21
B. & O. Transportation Co.		3	296		3,584	3	3	12
Brighton Stage Line	3,100.00	523		68,376		3		28
Brinkhurst, Lyle, Co.	2,609.22	166		8,278		1		118
Brinkerhoff, J. D. & Floyd.	1,200.00	459		50,383		2		57
Cameron Truck Line	3,167.56	236		3,500		2		245
Chamberlain, John, Truck Line.	1,980.00	26	73		49,275	1	1	205
Child, James Oscar	1,250.00	658		30,816		4		21
Colby Truck Line	5,900.00	1,904	766	(349,521)		9	3	144
Comet Motor Express Co.	13,038.89†		17,579		244,560		4	209
Denver-Salt Lake-Pacific Stages, Inc.**†.	36,973.71	28	70		11,894	4	1	19
Duke, E. J.	375.00	6,869		119,290		8		146
Eastern Utah Transportation Co.	23,438.14	61	1,158	13,032		1		5
Forsey, George	1,478.00	6,509		155,356		1		145
Fuller-Toponce Truck Co.	10,264.67	109	2,930	8,610		2	3	41
Grantsville-Salt Lake Truck Line.	400.00				19,500			8
Gourley, George	4,890.00	539		6,720		2		42
Hurricane Truck Line	2,545.00	30	179,346		1,454,608		69	457
Interstate Transit Lines	770,699.78							

REPORT OF PUBLIC SERVICE COMMISSION

COMMON MOTOR CARRIERS OPERATING IN INTRASTATE COMMERCE—OPERATIONS WITHIN
STATE OF UTAH, YEAR ENDED DECEMBER 31, 1935 (Continued)
MISCELLANEOUS STATISTICS

Name of Line or Operator	Investment in Property and Equipment End of Year	Tons Freight and Express Trans- ported	No. of Passen- gers Carried	In Freight Service	In Passenger Service	Property Carrying Vehicles	Passen- ger Carrying Vehicles	Total Route Mileage in Utah
Jepson, Jesse N.	\$ 625.00	55		7,344		1		306
Lion Coal Corp.	995.00	12		12,168		1		20
Magna Garfield Truck Line.	3,797.14	495		14,076		2		23
McIntire, B. F.	900.00	139		17,614		1		16
Milne, Joseph J., Truck Line, Inc.	12,278.09	1,564		105,078		5		323
Moab Garage Co.	16,200.00	2,662	477	(315,441)		9	3	363
Petty and Riddle, Inc.	3,898.69	834		84,680		3		116
Rio Grande Motor Way, Inc.†	306,282.45	17,068	66,058	514,898	906,374	29	45	424
Salt Lake-Bingham Freight Line.	1,623.81	839		18,954		2		27
Salt Lake-Coalville Stages	1,537.15	220	160	(68,857	27,544)	(	1)	44
Salt Lake-Ogden Transportation Co.	22,924.96	4,932				13		37
Salt Lake and Tooele Stage Lines.	13,033.87	321	6,778		136,678		3	53
Salt Lake Transportation Co.	269,837.47		1,609		16,288		21	160
Southern Utah Truck Co.	5,076.34	1,161		117,528		5		264
Sterling Transportation Co.	25,590.96	1,845		123,690		11		186
Unglicht, W. F.	2,300.00	241		15,600		1		163
Union Pacific Stages, Inc.	176,088.41	7	89,830		487,829		35	208
Utah Central Stages	1,200.00	1	83		17,820		1	99
Utah Central Truck Line.	7,695.93	2,504	1,133		31,300		1	94
Utah-Idaho Central R. R. Co., The§				64,484		5		66
Utah Parks Co.	3,332,103.01‡	52	5,865		117,635	37‡	3	426
Utah Transportation Co.	10,524.18	1,497	1,193		97,565	3	8	
TOTAL	\$5,157,194.04	56,395	392,838	2,327,853	3,840,817	173	273	5,777

* Operations conducted under contract by an individual.

**Covers period June 2, 1935 to December 31, 1935.

† Covers operations in Colorado and Utah.

‡ Relates to Utah and Arizona operations, other figures relate to Utah Operations only.

§ Figures not shown included in schedule of electric railroads.

REPORT OF PUBLIC SERVICE COMMISSION

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COMMON MOTOR CARRIERS OPERATING IN UTAH IN INTERSTATE COMMERCE — OPERATIONS FOR YEAR ENDED DECEMBER 31, 1935

(All figures cover entire line operations unless otherwise indicated)

Name of Line or Operator	Freight and Express Revenues	Passenger Revenues	Miscellaneous Revenues	Total Operating Revenues	Operating Expenses	Taxes	Total Operating Deductions	Operating Income
Ames, O. J.	\$ 416.00	\$	\$	\$ 416.00	\$ 334.00	\$ 63.92	\$ 397.92	\$ 18.08
Arrowhead Freight Lines, Ltd. ²	73,017.13			73,017.13	65,137.43	15,045.11	80,185.94	7,168.81R
B. & H. Truck Line	3,820.59			3,820.59	1,674.40	124.82	1,839.22	1,978.37
Burlington Transportation Co.	8,372.17	853,619.95	13,153.72	875,145.84	386,863.61	142,677.81	1,129,791.42	254,345.58R
Campbell, Marion	1,754.14			1,754.14	1,086.27	175.57	1,261.84	492.30
Cotant, J. O. Truck Lines, Inc. ¹	71,538.84			71,538.84	62,274.86	3,985.29	66,260.15	5,278.69
Cragun, E. M.	300.00			300.00	856.00	199.31	1,055.31	444.69
Cragun, Oscar M.	1,638.00		1,200.00	1,638.00	1,640.00	472.04	2,112.04	474.04R
Curry, E. H. and Earl Nash		10,157.46		10,157.46	7,849.12	566.45	8,415.57	1,741.89
Garrett Transfer & Storage Co., Inc.	443,185.59			443,185.59	362,712.03	62,367.59	425,079.62	18,105.37
Hawkes, Lee, Transfer	3,408.23			3,408.23	2,113.83	355.91	2,468.74	938.54
Inland Pacific Stages	1,235.25	13,444.50		14,679.75	13,146.24	926.81	14,073.05	606.70
Interstate Motor Lines	167,187.77			167,187.77	143,511.44	19,907.66	163,419.10	3,768.67
Knudsen, Virgil G.	338.00			338.00	550.00	100.00	650.00	312.00R
Lewis Brothers Stages	2,449.90	11,698.27	27.42	14,175.59	12,677.32	852.93	13,531.25	644.34
Lyman, M. F.	1,945.55			1,945.55	1,454.00	244.59	1,698.59	246.96
Maxfield, J. F.	1,607.28			1,607.28	709.00	166.20	875.20	732.08
Messinger Truck	18,842.33		70.00	18,912.33	18,681.76	1,328.72	20,010.48	1,098.15R
Motor Express Co. of Wyo.	12,981.92			12,981.92	7,300.85	1,412.54	8,743.39	4,268.53
Orange Transportation Co., Inc.	33,200.03			33,200.03	29,966.63	2,017.26	31,983.89	1,216.14
Pacific Greyhound Lines, Inc. ²	169,946.93			169,946.93	140,153.16	14,577.63	154,730.79	15,216.14
Pratt, W. F. Truck Line	197.90	62,987.39	49.87	63,235.16	45,773.76	17,401.69	63,175.45	59.71
Rapid Express, Inc.	3,166.75			3,166.75	2,541.61	233.76	2,795.37	371.38
Rasmussen Trucking Co.	13,391.91		220.15	13,612.06	14,457.16	579.26	15,036.42	1,644.51R
	13,696.32			13,916.67	14,602.70	1,386.48	15,989.18	2,072.51R

REPORT OF PUBLIC SERVICE COMMISSION

COMMON MOTOR CARRIERS OPERATING IN UTAH IN INTERSTATE COMMERCE — OPERATIONS
FOR YEAR ENDED DECEMBER 31, 1935

(Continued)

(All figures cover entire line operations unless otherwise indicated)

Name of Line or Operator	Freight and Express Revenues	Passenger Revenues	Mail and Miscellaneous Revenues	Total Operating Revenues	Operating Expenses*	Taxes	Total Operating Deductions	Operating Income
Reed, Levi R.	1,500.29			1,500.29	1,215.29	100.80	1,316.09	184.20
Sim, L. S.	13,943.49			13,943.49	11,645.05	1,756.35	13,401.40	542.09
Simpson, J. C.	24,354.18			24,354.18	17,193.68	1,704.55	18,898.23	5,455.95
Slagowski Truck Line	2,762.67			2,762.67	2,426.73	177.39	2,604.12	158.55
Smith, Charles	858.75			858.75	701.35	119.33	821.18	37.57
Stucki and Wittwer	6,000.00		1,500.00	7,500.00	5,700.00	495.00	6,195.00	1,305.00
Tri-State Motorways	14,892.08		56.20	14,948.28	12,496.18	1,013.08	13,509.26	1,439.02
United Stages System, Inc. ²		17.67		17.67	179.55	20.73	200.28	182.81R
Utah California Motor Lines	208,839.71		10,438.32	219,278.03	208,330.13	20,320.47	228,700.60	9,422.37R
Utah California Motor Lines, Inc.	254,004.16			254,004.16	205,142.70	25,743.53	230,885.23	23,118.93
Utah Calif. Motor Lines of Colo., Inc.	112,054.29		686.68	112,740.97	102,861.16	7,169.06	110,030.22	2,710.75
Williams Transportation	6,644.99			6,644.99	5,393.00	996.25	6,394.25	250.74
TOTAL	\$1,693,493.33	\$951,925.24	\$ 27,402.36	\$2,672,820.99	\$2,511,384.00	\$346,825.79	\$2,858,209.79	\$185,388.80R

¹For period Mar 31, 1935 to Dec. 31, 1935.²Utah proportion of operations.

R Denotes deficit or red figure.

*Includes uncollectible accounts.

**COMMON MOTOR CARRIERS OPERATING IN UTAH IN INTERSTATE COMMERCE—
OPERATIONS FOR YEAR ENDED DECEMBER 31, 1935**
(All figures cover entire line operations unless otherwise indicated)

Name of Line or Operator	Investment in Property and Equipment End of Year	Tons Freight and Express Transported	Number of Passengers Carried	In Freight Service	Vehicle Mileage During Year		No. of Motor Vehicles Li- censed for Service in Utah	Property Carrying Vehicles	Passenger Carrying Vehicles	Total Route Mileage in Utah
					In Freight Service	In Passenger Service				
Ames, O. J.	\$ 1,180.00	26		35,000			1	1	1	79
Arrowhead Freight Lines, Ltd.	12,859.88	6,985		1,038,000			15	15		347
B. & H. Truck Line.	1,900.00	197		42,000			1	1		79
Burlington Transportation Co.	1,093,066.79	11	17,664			498,372			21	565
Campbell, Marion	1,815.00	1,876		10,296			1	1		91
Cofant, J. O., Truck Lines, Inc.† ..	51,184.73	4,970		424,800			1	1		101
Cragun, E. M.	1,200.00	23		65,250			1	1		91
Cragun, Oscar M.	1,200.00	182		20,700			1	1		347
Curry, E. H. and Earl Nash.	3,865.00		1,407			187,500		40	2	127
Garrett Transfer & Storage Co., Inc.	246,586.56	30,354		1,374,921			1	1		637
Hawkes, Lee, Transfer	10,578.00	184	2,761	34,120		210,000			5	101
Inland Pacific Stages	3,945.00							13		257
Interstate Motor Lines	64,915.18	9,502		333,664				1		218
Knudsen, Virgil G.	1,094.50	33		1,320				1		104
Lewis Brothers Stages	7,518.82	122	1,708			194,710		2	8	127
Lyman, M. F.	1,960.00	220		22,960				1		39
Maxfield, J. F.	800.00	855		10,000				4		108
McCaun, W. W.	10,964.37	855		80,668				4		141
Messinger Truck.	2,139.38	1,640		85,272				2		104
Motor Express Co. of Wyoming.	3,798.53	2,167		174,000				6		158

*Estimated. † For period March 31, 1935 to December 31, 1935. § Utah proportion of operations.

REPORT OF PUBLIC SERVICE COMMISSION

COMMON MOTOR CARRIERS OPERATING IN UTAH IN INTERSTATE COMMERCE—
OPERATIONS FOR YEAR ENDED DECEMBER 31, 1935 (Continued)

(All figures cover entire line operations unless otherwise indicated)

Name of Line or Operator	Investment in Property and Equipment End of Year	Tons Freight and Express Transported	Number of Passengers Carried	In Freight Service	Vehicle Mileage During Year		No. of Motor Vehicles Li- censed for Service in Utah			Total Mileage in Utah
					In Passenger Service	In Freight Service	Property Carrying Vehicles	Passenger Carrying Vehicles	Service in Utah	
Orange Transportation Co., Inc.....	\$ 37,342.96	15,640	41,379	711,370	278,765		15	17		163
Pacific Greyhound Lines, Inc.\$.....	205,940.80	51		70,800			1			127
Pratt, W. F. Truck Line	1,038.00	261		291,600			3			104
Rapid Express, Inc.	3,375.00	230		24,684			3			141
Rasmussen Trucking Co.	9,037.76	712		35,000			3			132
Reed, Levi R.	1,543.00	344		91,800			1			108
Sim, L. S.	5,600.00	1,974		8,000			7			108
Simpson, J. C.	56,955.70	148		26,000			3			108
Slagowski Truck Line	1,200.00	191		71,240*			1			108
Smith, Charles	1,200.00	151		90,064			1			102
Stucki & Wittwer	2,500.00	75		122,800			2			29
Tri-State Motorways	3,470.15	1,393					4			104
United Stages System, Inc.....	8,333.30		14		992			1		127
Utah California-Motor Lines.....	108,576.24	12,845		151,000\$			27			290
Utah California Motor Lines, Inc.....	49,036.33	15,058		303,000\$			31			347
Utah California Motor Lines of Colorado, Inc.....	12,099.48	4,452		900,000*			13			158
Williams Transportation	1,094.72	995		74,081			1			101
TOTAL	\$2,030,875.18	113,897	64,933	6,724,410	1,370,339		204	55		6,178

*Estimated.

†For period March 31, 1935 to December 31, 1935.

§Utah proportion of operations.

REPORT OF PUBLIC SERVICE COMMISSION

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CONTRACT MOTOR CARRIERS OF PROPERTY — OPERATIONS WITHIN STATE OF
OF UTAH, YEAR ENDED DECEMBER 31, 1935

Name of Line or Operator	Total Operating Revenues	Operating Expenses	Taxes	Total Deductions Operating	Operating Income	Investment in Property and Equipment End of Year	Tons Freight and Express Transported	Vehicle Mileage During Year
Adair, George R.	2,800.00	1,845.00	200.34	2,045.34	754.66	1,150.00	91	40,000
Anderson, W. C.	3,214.52	2,658.00	82.86	2,740.86	473.66	1,200.00	376	11,894
Ashworth, R. C.	26,556.87	18,470.40	2,796.91	21,267.31	5,289.56	17,040.00	1,144	39,706½
Beckstead, B. H.	1,475.25	1,327.25	63.05	1,390.30	84.95	900.00	590	4,745
Bradley, Isaac	1,982.00	1,611.00	214.58	1,825.58	156.42	900.00	397	8,580
Campbell's Transfer & Storage	5,115.38	3,012.48	618.61	3,631.09	1,484.29	4,659.00	405	35,000**
Carter Drayage and Transfer Co.	2,901.60	881.00	272.26	1,153.26	1,748.34	2,500.00	391	117,584
Christensen, Lorin	4,800.00	3,706.54	389.82	4,096.36	703.64	1,625.20	197	36,611
Despain, Elbert G.	7,146.29	6,548.64	434.83	7,003.47	142.82	3,000.00	1,829	23,088
Elsmore, D. G.	3,781.09	3,732.39	150.84	3,223.23	507.86	2,185.00	273	3,800**
Gross, F. L.	550.71	433.99	16.00	449.99	100.72	896.07	69	65,856
Hadley Transfer and Storage Co.	47,795.86	47,658.59	2,226.34	49,884.93	2,089.07R	14,561.00	1,686	23,920
Harwood, Homer	4,113.96	3,108.00	220.00	3,328.00	785.96	1,495.00	692	7,644
Hicken, J. Claud & Sons.	3,798.85	3,490.07	271.01	3,761.08	37.77	2,501.90	383	32,000
Hunt, Joseph C.	1,251.75	893.27	97.53	990.80	260.95	728.79	63	5,304
Jeffery Brothers	2,127.34	2,507.34	223.54	2,730.88	603.54R	858.72	245	181
Johnson, B. E.	2,596.05	1,538.56	110.00	1,648.56	947.49	800.00	181	25,000
Johnson, R. C.	4,875.99	2,611.37	466.86	3,078.23	1,797.76	1,415.00	1,218	26,360
McHale, James A.	4,392.56	2,481.07	201.77	2,682.84	1,709.72	1,274.65	876	36,444
Olsen, W. L.	3,832.05	2,348.28	315.49	2,663.77	1,168.28	1,252.74	192	14,976
Perry, T. W.	2,250.00	1,950.00	166.71	2,116.71	133.29	1,250.00	219	44,091
Seamons, Ray	3,494.00	3,196.79	85.14	3,281.93	212.07	814.65	88	2
Skilhorn, S. G.	474.00	222.50	8.36	230.86	243.14	165.00	2	6,740
Stanton, J. J.	79,783.69	62,835.96	5,584.26	68,420.22	11,363.47	90,455.98	3,416	60,000
Tietjen, J. E.	6,070.00	5,314.90	90.90	5,404.90	665.10	828.00	202	16,545
Timpon, H. E.	2,060.56	1,597.45	41.29	1,638.74	421.82	850.00	215	3,000
Toombs, C. E.	187.86	316.30	92.01	408.31	230.45R	889.00	131	4,784
Tuckett, J. A.	1,417.25	895.50	130.61	1,026.11	391.14	1,828.00	100	60,000†
Yellow Cab Co.	5,206.21†	6,714.41	123.94	6,838.35	1,632.14R	1,899.10	142	755,912
Total	236,001.69	193,246.15	15,715.86	208,962.01	27,039.68	159,882.80	15,813	

*Includes operations in Utah and Colorado.

† Denotes red figure or deficit.

‡ Includes \$2,681.54 passenger revenue from cab service.

§ Truck operations 14,000 miles, cab operations 46,000 miles.

§ Estimated.

§** Not known.

REPORT OF PUBLIC SERVICE COMMISSION

ACCIDENTS TO PERSONS FROM MOTOR TRANSPORT OPERATIONS WITHIN THE STATE OF
UTAH — JULY 1, 1935, TO JUNE 30, 1936

Name of Carrier	No. of Accidents	Passengers		Pedestrians or Occupants of Motor Vehicles		Employees		Grand Total		
		Killed	Injured	Killed	Injured	Killed	Injured	Killed	Injured	
Passenger Lines:										
Interstate Transit Lines.....	4		15		9				1	24
Salt Lake Transp. Co.....	1			1						7
Union Pac. Stages, Inc.....	3		4		3				1	
Utah Lt. & Tractn. Co.....	1			1					1	1
Utah Parks Co.....	2				1	1				
Total.....	11		19	2	13	1		3		32
Freight Lines:										
Fuller-Toponce Trk. Co.....	1				3					3
Milne, J. J. Trk. Line, Inc.....	1				1					1
Rapid Express, Inc.....	2		1			1	1		1	2
Utah Calif. Motor Lines.....	1			2	1				2	1
Total.....	5		1	2	5	1	1	3		7
Grand Total.....	16		20	4	18	2	1	6		39

RECAPITULATION OF PASSENGERS AND FREIGHT
TRANSPORTED BY, AND ROAD TAXES ASSESSED
AGAINST AUTOMOBILE LINES OPERATING IN
THE STATE OF UTAH, JULY 1, TO DEC. 31, 1935

	Total Passen- gers Trans- ported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Certificate Holders.....	450,951	\$66,030.87	\$1,374.29	\$67,405.16
Non-Certificate Holders....	47,313	17,194.98	59.22	17,254.20
Total Passenger Lines..	498,264	\$83,225.85	\$1,433.51	\$84,659.36

	Total Tons Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Certificate Holders.....	27,437	\$13,707.07	\$1,273.38	\$14,980.45
Non-Certificate Holders....	107,305	73,111.88	1,668.50	74,780.38
Total Freight Lines.....	134,742	\$86,818.95	\$2,941.88	\$89,760.83

SUMMARY

Passenger Lines	\$ 84,659.36
Freight Lines	89,760.83
GRAND TOTAL	<u>\$174,420.19</u>

STATEMENT OF PASSENGERS CARRIED BY, AND ROAD TAX
ASSESSED AGAINST AUTOMOBILE PASSENGER LINES
IN THE STATE OF UTAH, JULY 1, 1935, TO
DECEMBER 31, 1935.

Certificate Holders	Total Passengers Carried	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Arrow Auto Lines.....	260	\$ 7.85	\$ 3.02	\$ 10.87
Bamberger Transportation Co....	5,061	285.29		285.29
Bear Lake Stages.....	437	12.96	13.46	26.42
Bingham Stage Lines Co.....	1,688	124.82	.15	124.97
Brighton Stage Lines.....	296	7.41	5.32	12.73
Central Ariz. Transp. Lines, Inc.	2,205	973.97	128.27	1,102.24
Child, J. O.	57	3.85	.63	4.48
Comet Motor Express Co.....	42	.26	1.16	1.42
Denver—Salt Lake—Pac. Stges.	7,799	1,167.42	521.30	1,688.72
Duke, Elisha Jones.....	41	1.95		1.95
Forsey, Geo.	695	3.49	.71	4.20
Gourley, Geo. C.....	2,530	12.54		12.54
Hall, G. W.....	74	6.38	.52	6.90
Hout, Don R.....	74	7.55		7.55
Hout, Howard	1,420	109.20		109.20
Interstate Transit Lines, Inc.....	105,817	42,747.93	244.56	42,992.49
Moab Garage Co.....	267	24.62	14.41	39.03
Rio Grande Motorway, Inc.....	13,882	3,115.93	125.91	3,241.84
Salt Lake Transportation Co.....	17,545	1,116.94	24.45	1,141.39
Sargent, Moyle	54	1.33	1.62	2.95
Spencer, Howard J. (S. L.— Grantsville)	1,340	63.91		63.91
Spencer, Howard J. (S. L.— Tooele)	2,555	164.25		164.25
Union Pacific Stages, Inc.....	54,207	12,546.31		12,546.31
Utah Central Truck Line.....	618	20.90	4.84	25.74
Utah Idaho Central R. R. Co.....	25,177	1,216.26		1,216.26
Utah Light & Traction Co.....	197,110	1,466.98	1.81	1,468.79
Utah Parks Co.....	9,332	772.25	280.49	1,052.74
Utah Transportation Co.....	366	48.32	1.66	49.98
TOTAL	450,951	\$66,030.87	\$1,374.29	\$67,405.16

STATEMENT OF PASSENGERS CARRIED BY, AND ROAD TAX
ASSESSED AGAINST AUTOMOBILE PASSENGER LINES
IN THE STATE OF UTAH, JULY 1, 1935, TO
DECEMBER 31, 1935.

Non-Certificate Holders	Total Passengers Carried	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Board of Educ. (Cache County)	439	\$ 10.08	\$ 3.22	\$ 13.30
Burlington Transportation Co...	18,726	8,538.24	30.91	8,569.15
Carter Drayage and Transfer...	20	3.85		3.85
Cox, Owen	208		1.66	1.66
Eaton, C. H.	21	14.39	2.16	16.55
Foy, W. C.	27	4.19	1.54	5.73
Gardner, Dell	38	7.32		7.32
Harwood, Homer	491	90.62	.32	90.94
Inland Pacific Stages.....	658	186.11	11.26	197.37
Johnson Transfer & Taxi Co....	19	2.08	.19	2.27
Lewis Bros. Stages.....	878	219.42	3.72	223.14
Montgomery, S. J.	110	13.48		13.48
Northwest Auto Co.	5	1.35		1.35
Nielson, Edgar	3		.04	.04
Overland Stages (E. H. Curry)	741	235.27		235.27
Pacific Greyhound Lines, Inc...	24,672	7,822.42	1.03	7,823.45
Snow, Clyde	50		.52	.52
Steele, Parley B.	83	1.46	2.11	3.57
United Stages System, Inc.....	14	4.45		4.45
Woodruff, George T.	39	.09	.54	.63
Washington Mtr. Coach System	53	38.95		38.95
Williams, Edward	18	1.21		1.21
TOTAL	47,313	\$17,194.98	\$ 59.22	\$17,254.20

STATEMENT OF TONS OF FREIGHT TRANSPORTED BY, AND
ROAD TAX ASSESSED AGAINST AUTOMOBILE FREIGHT
LINES IN THE STATE OF UTAH JULY 1, 1935
TO DECEMBER 31, 1935

Certificate Holders	Total Tons Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Allred, Horace	153	\$ 15.09	\$ 31.45	\$ 46.54
Arrow Auto Line.....	235	22.42	6.49	28.91
Barton Truck Line.....	343	79.11		79.11
Bear Lake Stages.....	5	.03	.04	.07
Bingham Stage Lines Co.....	66	11.79		11.79
Black, Martin I.....	37	6.37		6.37
Bringham, Lyle Co.....	349	82.86	29.45	112.31
Brighton Stage Lines.....	4	.23	.15	.38
Brinkerhoff, J. D. & Floyd.....	97	25.77	3.86	29.63
B. & O. Transportation Co.....	169	9.02		9.02
Cameron, Philo	308	303.52	30.21	333.73
Central Ariz. Transp. Lines, Inc.	18	21.51	2.37	23.88
Chamberlain, John	148	37.39	10.68	48.07
Child, J. O.....	13	2.36	.25	2.61
Colby, F. L.....	314	146.60	48.40	195.00
Comet Motor Express Co.....	128	17.83	16.42	34.25
Denver—S. L.—Pacific Stages..	2	.01	.02	.03
Duke, Elisha Jones.....	13	1.82		1.82
Eastern Utah Transp. Co.....	3,253	663.67	550.78	1,214.45
Forsey, Geo.	155	2.15	.40	2.55
Fuller & Toponce Truck Co.....	3,820	1,774.18	.27	1,774.45
Grantsville—S. L. Truck Line..	93	20.12		20.12
Hail, G. W.....	10	.07		.07
Hout, Don R.....	115	32.89		32.89
Hout, Howard	53	11.09		11.09
Hurricane Truck Line.....	375	100.08	3.31	103.39
Interstate Transit Lines.....	592	26.48	47.61	74.09
Jepson, J. N. & I. H. Bradshaw	17	32.94	.12	33.06
Magna-Garfield Truck Line.....	278	35.33		35.33
Milne, J. J. Truck Line, Inc.....	860	1,131.24	1.78	1,133.02
Moab Garage Co.....	1,662	1,169.79	257.92	1,427.71
McIntire, B. F.....	83	2.70	2.65	5.35
Petty & Riddle, Inc.....	456	204.51	.09	204.60
Railway Express Agency, Inc..	1	.07		.07
Rio Grande Motor Way, Inc.....	5,515	4,971.69	.37	4,972.06
Salt Lake Bingham Frt. Line....	438	79.01		79.01
Salt Lake & Ogden Transp. Co.	2,730	648.61		648.61
Sargent, Moyle	100	6.57	7.37	13.94
Southern Utah Truck Co.....	559	677.00		677.00
Spencer, Howard J. (S. L.— Grantsville)	48	10.48		10.48
Spencer, Howard J. (S. L.— Tooele)	120	25.63		25.63
Sterling Transportation Co.....	965	465.30	200.69	665.99
Ungright, W. F.....	162	159.68	.82	160.50
Union Pacific Stages, Inc.....	6	4.12		4.12
Utah Central Truck Line.....	1,493	352.60	16.12	368.72
Utah Transportation Co.	396	146.20	3.00	149.20
Utah Parks Co.	35	7.53	.29	7.82
Warner, Newell	188	161.61		161.61
TOTAL	27,437	\$13,707.07	\$1,273.38	\$14,980.45

STATEMENT OF TONS OF FREIGHT TRANSPORTED BY, AND
ROAD TAX ASSESSED AGAINST AUTOMOBILE FREIGHT
LINES IN THE STATE OF UTAH JULY 1, 1935
TO DECEMBER 31, 1935.

Non-Certificate Holders	Total Tons Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Adair, George R.....	39	57.17	7.27	64.44
Adair, W. B.	5	5.40		5.40
Adams, W. W. ....			.01	.01
Aero Mayflower Transit.....	20	37.57	.06	37.63
Ahlstrom, W. J.	2		.05	.05
Akhurst, Wm. E.	7	4.06	1.71	5.77
Alexander, E. T.	36	1.43	3.12	4.55
Allen, Frank	3		.06	.06
Allen, Paul	14	7.93	.14	8.07
Ames, Oliver	26	13.60		13.60
Anderson, Ivan	1,485	49.91	37.43	87.34
Anderson, W. C.	249	14.34		14.34
Arrowhead Freight Lines	3,737	7,925.22	17.03	7,942.25
Ashton, Leslie & Sons.....	464	79.55	56.67	136.22
Ashworth Transfer Co.	805	260.00	8.07	268.07
Atkinson, D.	915	1.12	33.61	34.73
Atkinson, V. D.	736	176.64	20.25	196.89
Ault, J. W. Transfer Co.	29	15.72	.03	15.75
B. & H. Truck Line.....	137	72.21		72.21
Bacon, W. A.	2	1.65		1.65
Baese, G. W.	1	.84	.35	1.19
Baldwin, C. R.	7		.65	.65
Ballingham, George E.	4		.32	.32
Banks, Leo M.	462	73.79	13.84	87.63
Beckstead, B. H.	162	14.01		14.01
Bekins Moving and Storage Co.	11	9.55		9.55
Belnap, Lorenzo	6	.52		.52
Bethers, Harris	252	27.18	5.10	32.28
Bollschweiler, Mrs. E. F.	70	12.61		12.61
Bower's Express and/or E. O. Muir & Co.	14	7.31		7.31
Bracken, Vivian .....			.01	.01
Bradford, Bert	2	2.39		2.39
Bradley, Isaac	192	61.13		61.13
Brady, Ike	10	4.87		4.87
Bratt, J. R.	59	134.85	.77	135.62
Brigmore, T.	2	.31	.05	.36
Brinkerhoff, Geo. Co.	20		2.67	2.67
Brown, Carl	2	6.70		6.70
Brown & Lund.....	7	1.20		1.20
Buckingham Transportat'n Co.	1,760	924.94	8.98	933.92
Burlington Transportation Co.	11	9.23	.03	9.26
Butler, Joe	155	6.23		6.23

STATEMENT OF TONS OF FREIGHT TRANSPORTED BY, AND
ROAD TAX ASSESSED AGAINST AUTOMOBILE FREIGHT
LINES IN THE STATE OF UTAH JULY 1, 1935
TO DECEMBER 31, 1935. (Continued)

Non-Certificate Holders	Total Tons Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Cadwell, A. B.....	1	.97		.97
Campbell, M.	147	4.69	1.79	6.48
Campbell Transfer Co.....	234	178.30	.40	178.70
Canoso, Frank	21	10.20		10.20
Carter Drayage & Transfer Co.	234	16.36	.59	16.95
Chastain, W. L.....	16		.54	.54
Christensen, C. R.....	105		7.31	7.31
Christensen, Lorin	94	54.59		54.59
Clark, LaVern .....			.05	.05
Clevinger, Joe	3	1.28		1.28
Cole, C. R. Transfer Co.....	31	27.98	.53	28.51
Compton Transfer & Storage Co.	6	12.51	.77	13.28
Cotant, J. O.....	135	93.21		93.21
Cowles & Sons.....	12	6.36	2.25	8.61
Cox, James W.....	6	.06	.30	.36
Cox, Lewis H.....	119	24.01	14.04	38.05
Cox, Lynn	1		.09	.09
Cox, Owen	104		2.08	2.08
Cragun, Oscar	53	122.00		122.00
Cutler, Bealey S.....	19	4.30	.08	4.38
Dahl, Clarence	25	4.88		4.88
Damron, George A.....	6		.12	.12
Dansie, Wilford	4	1.15		1.15
Davis, Amos	2		.07	.07
Davis, Lorenzo R.....	39	.81	.44	1.25
Davison Transfer & Storage Co.	3	1.04		1.04
Despain, Elbert G.....	1,688	112.07	28.73	140.80
Diploma, Joe	5	2.37		2.37
Douglas-Calhoun Transportat'n	89	46.96		46.96
Droubay, D. P.....	104	16.00	.07	16.07
Eachus, V. D.	56	22.17	6.00	28.17
Edwards, Oliver	198	17.10	4.45	21.55
Elder, Leonard	21	.36	3.84	4.20
Elsmore, D. G.....	151	64.84		64.84
Ence, Milo	1	.01		.01
Eyre, J. M.	37	3.66	6.49	10.15
Fitzgerald, R. B.....		.15	.02	.17
Florence, H. S.....	4	4.05	.11	4.16
Fluckiger, Wilford	8	4.61	.08	4.69
Fortner, V. B.	2	1.81	.42	2.23
Freemont-Ross Transfer and Storage Co.	7	2.90		2.90
Fuoco, Sam	6	1.66		1.66

STATEMENT OF TONS OF FREIGHT TRANSPORTED BY, AND
ROAD TAX ASSESSED AGAINST AUTOMOBILE FREIGHT
LINES IN THE STATE OF UTAH JULY 1, 1935
TO DECEMBER 31, 1935. (Continued)

Non-Certificate Holders	Total Tons Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Gardner, Ira	2	.41		.41
Garrett Transfer & Storage Co.	17,165	16,743.82	.55	16,744.37
George, Joseph	180	7.20	5.62	12.82
Glines, J. Harvey.....	8		.34	.34
Grayson Garage (Lyman Garage)	54	11.70	17.97	29.67
Gross, F. L.	41	1.15	.15	1.30
Gulbransen, Oscar	1	.04		.04
Hadden, Dean	1	.41	.14	.55
Hadley Transfer & Storage Co.	963	364.60	19.29	383.89
Hahn, Alfred L.	39	25.33		25.33
Hair, L.	194	80.36	27.70	108.06
Hall, W. H.	6	2.56		2.56
Hancock, Leslie E.	84	196.28		196.28
Hanson, Harold	149	12.90	3.35	16.25
Hart, H. W.	100	71.05		71.05
Harward, Arthur	4	3.39		3.39
Harward, Dan N.	4	3.39		3.39
Harwood, Homer W.	349	34.44	.36	34.80
Hatch, Leston L.	2		.08	.08
Hawkes, Lee M.	74	42.74	.04	42.78
Haycock, J. B. ....	.5	.06	.29	.35
Heaton, Glen	3,515	705.52	211.09	916.61
Hemmingsen, A. P.	21		.06	.06
Henline, Wm. H.	192	17.32	4.30	21.62
Henrie Brothers	1,018	422.48	40.28	462.76
Hess, Kenneth L.	8	4.25		4.25
Hicken, J. Claude & Sons.	201	49.37	4.60	53.97
Higley, Paul	1,259		47.04	47.04
Hirschi, Albert D.	8		.29	.29
Hoggard, W. C.	3	1.12		1.12
Holt, S. J.	2	4.30		4.30
Howard, D. E.	15*	1.16*		1.16*
Howe, L. J.	101	12.02	2.25	14.27
Hunt, Joseph C.	11	12.87	3.27	16.14
Hurst, Bill	1	.71		.71
Hutchinson, Earl W.	51	2.30	.21	2.51
Inland Pacific Stages.	4	3.64		3.64
Interstate Motor Lines	8,741	6,217.91	48.96	6,266.87
James, R. S.	406	80.98		80.98
Janse, Adrian	14	1.26		1.26
Jeffery Bros.	156	56.02	21.61	77.63
Johnson & Reese	2,173	67.77	7.25	75.02
Johnson Transfer & Taxi Co.	28	10.19	.09	10.28
Johnson, B. E. Transfer Co.	100	6.39	3.03	9.42

*Cancellation.

STATEMENT OF TONS OF FREIGHT TRANSPORTED BY, AND
ROAD TAX ASSESSED AGAINST AUTOMOBILE FREIGHT
LINES IN THE STATE OF UTAH JULY 1, 1935
TO DECEMBER 31, 1935. (Continued)

Non-Certificate Holders	Total Tons Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Johnson, E. R.....	122	98.96		98.96
Johnson, George E.....	1		.01	.01
Johnson, Glen.....	21		3.25	3.25
Johnson, R. C.....	578	92.41		92.41
Johnston, Owen.....	9	6.03	2.09	8.12
Johnston, Wayne E.....	2	.03	.22	.25
Jolley, Henry R. ....			.02	.02
Jones, X. L.	4	.20		.20
Kenosha Auto Transport Co.....	3	4.59		4.59
Kirkham, George .....			.01	.01
Knight, Leo J.....	6	2.83		2.83
Knudsen, Virgil G.	12	4.95		4.95
Kohler, Albert.....	525	165.29	11.84	177.13
Larsen, Clay	58	45.02	.51	45.53
Larsen, Nels	600	9.12	17.59	26.71
Lassen, Niels	2*	2.07*	.27*	2.34*
Lewis Bros. Stages.....	30	22.79	.47	23.26
Lind, Vance O.....	1		.05	.05
Lund, William	11		.78	.78
Lyman, Chester	1		.05	.05
Marchant, A. M.	878	12.16	20.36	32.52
Marsden, R. J.	645	275.00		275.00
Maxfield, J. F.	118	62.13	.98	63.11
Merchants Delivery & Transfer Co.	8	1.92		1.92
Merchants Transfer & Storage Co.	8	4.57		4.57
Messinger, Blake	772	476.41		476.41
Miles, I. A.	267	63.78	9.94	73.72
Milner, A. F.	857	105.89	4.16	110.05
Mollerup, J. A. Moving Co.....	188	271.86	.17	272.03
Monson, O. E.	124	65.29	15.58	80.87
Montana Pacific Transport Inc.	314	295.88		295.88
Morris, Joe	251	264.35		264.35
Motor Express Co. of Wyoming	2,150	1,135.88	.30	1,136.18
Munson, Leo	3		.20	.20
Murdock, Carlos	2	.21		.21
Murdock, R. C.	44	5.72	1.36	7.08
McHale, J. A.	568	98.12	.20	98.32
McIntosh, Wm. H.....	25	.15	3.24	3.39
McKeller, Peter	25		.56	.56
Nebeker, Stanley	10		.50	.50
Nield Bros. Transfer Co.....	200	88.00		88.00
Nielsen, Carl P.	1	1.03		1.03

*Cancellation.

STATEMENT OF TONS OF FREIGHT TRANSPORTED BY, AND
ROAD TAX ASSESSED AGAINST AUTOMOBILE FREIGHT
LINES IN THE STATE OF UTAH JULY 1, 1935
TO DECEMBER 31, 1935. (Continued)

Non-Certificate Holders	Total Tons Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Nielson, Edgar	6		.12	.12
Nielson, Sidney L.....	8		.11	.11
Nielson, Theris	2		.06	.06
Nielson, Wm. Ray.....			.06	.06
North, Alvin G.	8	3.19		3.19
North, Glen	339	2.92	7.20	10.12
Norton, H. C.	17	11.21		11.21
O'Berto, Joe	24	.62	.18	.80
Ogden Transfer & Storage Co.	185	116.74	3.20	119.94
Ogden, J. Larue	3	2.47	.19	2.66
Olsen & Harwood	279	23.43	12.98	36.41
Olsen, W. L.....	192	235.23		235.23
Olson, Henning B.....	4	2.02		2.02
Oman, Harold G. ....			.04	.04
Oneonta Transfer & Storage Co.	26	44.64		44.64
O'Neil, Heber	131	12.45	13.38	25.83
Orange Transportation Co.....	4,682	4,361.04		4,361.04
Osborn, Warren J.....	6	.59	1.04	1.63
Owen Transportation Co.....	2	1.95		1.95
Pace, John A.	40	6.91	5.35	12.26
Pacific Greyhound Lines, Inc...	2	2.61		2.61
Pack, Robt.	522	6.56	11.93	18.49
Palley, Barnett	7	18.59		18.59
Payne, Parley M.....	8	.84		.84
Peasley Transfer & Storage Co.	67	62.74		62.74
Perry, T. W.	127	36.11		36.11
Peterson, Ben	8	.06	.04	.10
Phillips, B. E.	10	5.34		5.34
Pickering, Alex Transfer Co...	32	18.14	1.76	19.90
Pierce, Lee	38	3.19	5.46	8.65
Pratt, W. F.	70	32.34		32.34
Preece, O. J.	470	18.19	60.56	78.75
Randall, Alfred	211	16.95		16.95
Rapid Express Inc.....	95	89.44		89.44
Rasmussen, John	719	637.54		637.54
Ray, J. F.	6	1.18		1.18
Reber, Ellis	20	3.89		3.89
Reber, R. M.	91	30.80		30.80
Redline Motor Transport	1,271	468.86	43.19	512.05
Redman Van & Storage.....	272	309.48	.60	310.08
Reed, Levi R.	277	12.66	6.07	18.73
Reid & Hunsaker.....	37	9.50	7.74	17.24

STATEMENT OF TONS OF FREIGHT TRANSPORTED BY, AND
ROAD TAX ASSESSED AGAINST AUTOMOBILE FREIGHT
LINES IN THE STATE OF UTAH JULY 1, 1935
TO DECEMBER 31, 1935. (Continued)

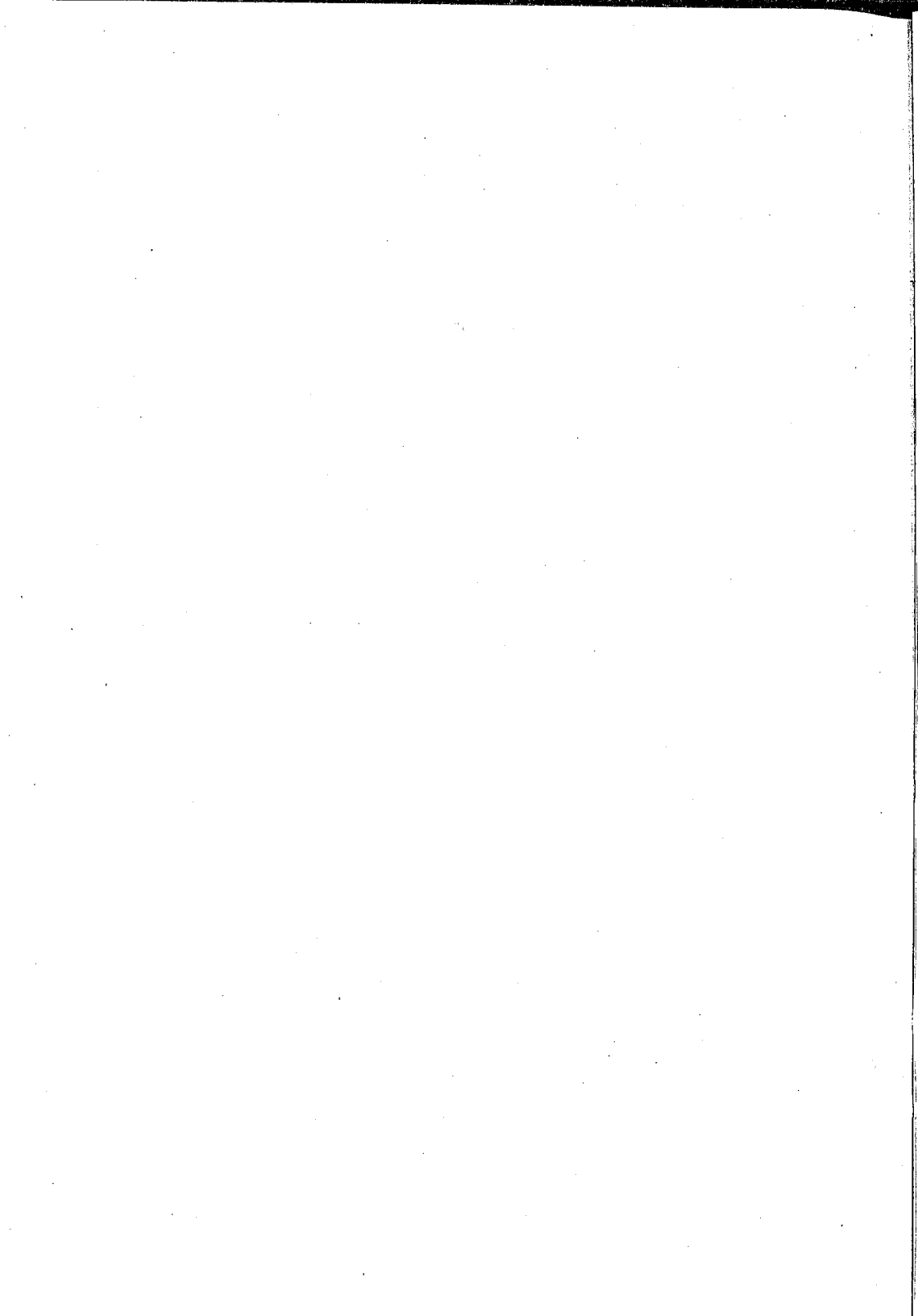
Non-Certificate Holders	Total Tons Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Reynolds, Fred	5	1.86	1.12	2.98
Riss & Co.	8	4.08		4.08
Riddle, I. E.	932	1,640.39		1,640.39
Robbins, Melvin A.	1	.01		.01
Roberts, D.	8	6.77		6.77
Robinson, Leo	2	1.69		1.69
Rose, Harry S.	228	3.70		3.70
Rowley, Mrs. Daisy	48		9.22	9.22
Sabin, Ernest N.	4	.11		.11
Salt Lake Transfer Co.	3,097	1,330.93	77.52	1,408.45
Schiele, F. A.	613	293.34		293.34
Scholzen Produce Co.	1	.72	.09	.81
Schwenderman, J. M.	8	.93	.21	1.14
Seamons, Ray	42	18.02		18.02
Shackelford, T. M.	84		83.28	83.28
Sim, L. S.	976	508.97	6.40	515.37
Simpson, J. C.	135	65.01		65.01
Simpson Motorway Transit Co.	20	10.54		10.54
Singleton, William	24	.48	.60	1.08
Skillhorn, S. G.	2	.21	.15	.36
Slade Transfer Co.	14	3.29	.02	3.31
Slagowski, J.	134	65.23		65.23
Smith, Charles	116	94.28		94.28
Smith, Albert	2	.08		.08
Smith, Leo G.	107	18.39		18.39
Smith, Roland B. Brokerage...	57	56.74		56.74
Smith, Wm. R. Brokerage Co.	2	4.86		4.86
Snow, Clyde	35		.37	.37
Snow & Nelson Lbr. Co.	155	62.80	1.78	64.58
Spencer, James	4	1.97		1.97
Staheli, Woodrow	2	3.39		3.39
Stanton, J. J.	1,429	196.06	251.10	447.16
Staples, Lewellyn	2		.08	.08
Steele, Parley B.	19	.89	1.17	2.06
Stevenson Bros.	482	45.81	107.02	152.83
Stucki & Wittwer	75	21.26	.42	21.68
Talbot, James O.	52	7.01		7.01
Tatton, Fred W.	13	12.35		12.35
Taylor, Rulon	2	.10	.04	.14
Tietjen, J. E.	102	32.52		32.52
Timothy, Presley		8.60	3.23*	5.37
Timpson, H. E.	115	9.86	4.19	14.05
Tooele Valley Railway Co.	35	.06	.22	.28

*Cancellation.

STATEMENT OF TONS OF FREIGHT TRANSPORTED BY, AND
ROAD TAX ASSESSED AGAINST AUTOMOBILE FREIGHT
LINES IN THE STATE OF UTAH JULY 1, 1935
TO DECEMBER 31, 1935. (Continued)

Non-Certificate Holders	Total Tons Transported	Hard Surface Tax	Other Surface Tax	Total Taxes Assessed
Toombs, C. E.	300	1.12	7.39	8.51
Torre, Louis	137	123.05		123.05
Tri-State Motor Ways.....	947	590.38		590.38
Truitt, J. M.	3	2.05		2.05
Trusckett, Dick	1	.59		.59
Tuckett, J. A.	46	9.36	1.71	11.07
Udall, D. K.	66		2.48	2.48
Urry, Lambert	3	2.54		2.54
Utah California Motor Lines....	8,332	6,697.58	10.95	6,708.53
Utah Calif. Motor Lines, Inc....	10,722	12,259.93	4.29	12,264.22
Utah California Motor Lines of Colo., Inc.....	3,621	2,011.67	24.11	2,035.78
Waite, J. W.	3	1.05	.07	1.12
Waldron, Grant	27	6.61	.24	6.85
Wardell, William	3	.76	.54	1.30
Wells, Joseph F. ....			.06	.06
Wight, Reed J.	1*	23.90*	6.07	17.83*
Williams, David J.	469	275.52		275.52
Wilson & Truax	13	17.97	1.71	19.68
Winward, Abe	3	1.21		1.21
Wood, Ether	248	22.40	20.64	43.04
Woodall, George	2	1.65		1.65
Woodruff, George T.	8	.06	.32	.38
Wycoff, M. S.	9	7.29		7.29
Yack, Joe	2	.91	.27	1.18
Yellow Cab Co.	86	9.33	.15	9.48
Young, George	169	106.83	.15	106.98
TOTAL	107,305	\$73,111.88	\$1,668.50	\$74,780.38

*Cancellation.



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INDEX

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
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
S L & U RR	Salt Lake & Utah Railroad Co.
S P Co.	Southern Pacific Company
T V Ry	Tooele Valley Railway Co.
U P RR	Union Pacific Railroad Co.
U I C RR	Utah Idaho Central Railroad Co., The
U L & T Co.	Utah Light & Traction Co.
U P & L Co.	Utah Power & Light Co.
U R T Co.	Utah Rapid Transit Co.
Ut Ry Co	Utah Railway Co.

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ERRATUM

Page title lines on pages 5 to 64, inclusive, which read "Report of Public Utilities Commission" should read "Report of Public Service Commission."

