

SB294\_L.002

HOUSE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

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Date

Committee on Transportation & Energy.

After consideration on the merits, the Committee recommends the following:

SB09-294 be amended as follows:

1 Amend reengrossed bill, page 2, strike lines 2 through 4 and substitute the  
2 following:

3 "SECTION 1. 40-10-105 (2) (b) (II) (B), Colorado Revised  
4 Statutes, is amended to read:";

5 strike lines 10 through 23 and substitute the following:

6 "(B) If the applicant sustains its THE initial burden of proof as set  
7 forth in sub-subparagraph (A) of this subparagraph (II), there shall be a  
8 rebuttable presumption of public need for the service, and the ANY party  
9 or parties opposing the application shall bear the burden to prove PREVAIL  
10 UPON PROVING that the public convenience and necessity does not require  
11 granting the application and OR that the issuance of the certificate would  
12 be detrimental to the public interest."

13 Page 3, strike lines 1 through 7.

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