

SB253_L.003

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

Date

Committee on Business, Labor and Technology.

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

SB09-253 be amended as follows:

1 Amend printed bill, page 4, line 10, after "SERVICES." insert "ACTUAL
2 COSTS SHALL NOT INCLUDE ANY UPGRADE OR IMPROVEMENT COSTS TO THE
3 RELOCATED INFRASTRUCTURE OR FACILITIES. FOR PURPOSES OF THIS
4 SECTION, UPGRADE OR IMPROVEMENT COSTS SHALL BE DEFINED AS COSTS
5 INCURRED AS PART OF A FACILITY OR INFRASTRUCTURE RELOCATION THAT
6 ARE NOT ATTRIBUTABLE TO THE STATE OR POLITICAL SUBDIVISION'S
7 REQUEST, AND ARE MADE SOLELY FOR THE BENEFIT OF, AND AT THE
8 ELECTION OF, THE LOCAL EXCHANGE PROVIDER. THE USE OF NEW
9 MATERIALS, COMPLIANCE WITH CURRENT STANDARDS IN THE
10 PERFORMANCE OF RELOCATION, OR THE IMPLEMENTATION OF
11 TECHNOLOGICAL IMPROVEMENTS THAT ARE ABLE TO ACHIEVE SUCH
12 UPGRADE AT COSTS THAT ARE EQUAL TO OR LESS THAN THE COSTS OF A
13 LIKE-FOR-LIKE REPLACEMENT OR RELOCATION ARE NOT CONSIDERED AN
14 UPGRADE OR IMPROVEMENT."

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