

**FORTY-NINTH LEGISLATURE
SECOND SESSION, 2010**

February 11, 2010

Mr. Speaker:

Your **BUSINESS AND INDUSTRY COMMITTEE**, to whom has been referred

HOUSE BILL 107

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 2, lines 6 and 7, strike "the imposition of the fee that the company intends to impose" and insert in lieu thereof "its intent to impose a fee".
2. On page 2, line 8, strike "and shall show the fee".
3. On page 2, line 9, after the period, insert "The notification to the commission shall contain information regarding the total relocation costs incurred by project, the calculation of the fee, the time period in which the fee will be recovered, the customers affected and an affidavit that only actual costs are being recovered and that reasonable efforts were made to mitigate the relocation costs. The telecommunications company may begin assessing the fee after the expiration of the thirty-day notice provided to the commission."
4. On page 2, line 12, strike "a fee" and insert in lieu thereof "all information has been provided and that the fee intended to be".
5. On page 2, line 13, after "incurred", insert "for the relocation of facilities and that the telecommunications company engaged in all reasonable efforts to mitigate the relocation costs. The commission shall complete its investigation within sixty days from the date a petition is filed or the commission commences an investigation on its own motion, whichever is earlier".
6. On page 2, line 13, after the period, strike the remainder of the line, strike lines 14 and 15 in their entirety and on line 16, strike "customers."
7. On page 2, line 19 strike "shall" and insert in lieu thereof "may".

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Respectfully submitted,

Debbie A. Rodella, Chair

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 9 For 2 Against
Yes: 9
No: Gardner, Powdrell-Culbert
Excused: Campos
Absent: None

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