

SB21-103

## HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Esgar

1 Amend the Energy and Environment Committee Report, dated May 13,  
2 2021, page 1, strike lines 5 through 20.

3 Page 2, strike lines 3 through 19 and substitute:

4 ""(e) (I) MAY INSPECT THE RECORDS AND DOCUMENTS OF ANY  
5 PUBLIC UTILITY AND CONDUCT DEPOSITIONS UNDER OATH OF ANY OFFICER,  
6 AGENT, OR EMPLOYEE OF A PUBLIC UTILITY IN RELATION TO THE PUBLIC  
7 UTILITY'S BUSINESS AND AFFAIRS. TO EXERCISE THIS AUTHORITY, THE  
8 DIRECTOR SHALL REQUEST THAT THE COMMISSION ISSUE A SUBPOENA  
9 PURSUANT TO THE COMMISSION'S AUTHORITY UNDER SECTION 40-6-103 (1)  
10 TO:

11 (A) ISSUE A SUBPOENA ON A PUBLIC UTILITY REQUIRING THE  
12 PUBLIC UTILITY TO PRODUCE RECORDS OR DOCUMENTS, OR, FOR RECORDS  
13 OR DOCUMENTS KEPT OUTSIDE OF THE STATE, TO PRODUCE VERIFIED  
14 COPIES OF RECORDS OR DOCUMENTS, FOR INSPECTION BY THE OFFICE AT  
15 SUCH TIME AND PLACE THAT THE COMMISSION DESIGNATES; OR

16 (B) ISSUE A SUBPOENA FOR THE ATTENDANCE OF WITNESSES AT A  
17 DEPOSITION TO BE CONDUCTED BY THE DIRECTOR OR THE DIRECTOR'S  
18 DESIGNEE AT SUCH TIME AND PLACE THAT THE COMMISSION DESIGNATES.  
19 THE DIRECTOR OR THE DIRECTOR'S DESIGNEE HAS THE AUTHORITY TO  
20 ADMINISTER OATHS OF WITNESSES AT A DEPOSITION HELD PURSUANT TO  
21 THIS SUBSECTION (1)(e)(I).

22 (II) WITH RESPECT TO THE GOOD CAUSE SHOWN REQUIREMENT SET  
23 FORTH IN SECTION 40-6-103 (1) FOR THE ISSUANCE OF A SUBPOENA, GOOD  
24 CAUSE IS SHOWN FOR A REQUEST MADE PURSUANT TO THIS SUBSECTION  
25 (1)(e) IF THE DIRECTOR'S REQUEST STATES WITH SPECIFICITY THE  
26 TESTIMONY, RECORDS, OR DOCUMENTS SOUGHT PURSUANT TO THIS  
27 SUBSECTION (1)(e).".

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29 Page 10 of the reengrossed bill, line 24, after "fund" insert "AND THE  
30 TELECOMMUNICATIONS UTILITY FUND".".

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