

**ADOPTED**

Senators Shafer of the 48th, Stoner of the 6th, Rogers of the 21st and Wiles of the 37th offered the following amendment:

1 *Amend the Senate Regulated Industries and Utilities Committee substitute to HB 168 (LC 36*  
2 *1536S) by striking lines 121 through 126 and inserting in lieu thereof the following:*  
3 In calculating such contributions, the commission shall allow a local exchange company  
4 holding a certificate of authority issued by the commission after July 1, 1995, and before  
5 January 1, 2010, with primary headquarters in Georgia and more than 750 full-time  
6 employees working in Georgia as of January 1, 2010, to utilize accumulated unexpired  
7 Georgia net operating losses for taxable years ending prior to January 1, 2010, on a full  
8 dollar-for-dollar basis to reduce up to 50 percent of its contribution to the Universal Access  
9 Fund. Within the same tax year of the election, companies making such election shall  
10 formally notify the Department of Revenue that the company agrees to forego any rights or  
11 claims to the Georgia net operating losses so used. The commission may allow