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or only the private utility?

SENATOR REDFIELD: According to the rules in the amendment, yes.

SENATOR CHAMBERS: Okay, "yes" to which?

SENATOR REDFIELD: Well, I think you see that there's some criteria that was established in the amendment that determines whether they can go into an entity. They have to fit the criteria that's been established...

SENATOR CHAMBERS: And that's where...

SENATOR REDFIELD: ...and if they do then they are free to go into that area.

SENATOR CHAMBERS: And that's where we then come into Senator Beutler's concern or area of interest about this rebuttable presumption which favors the one that's already there. The rebuttable presumption is in favor of the one that's already there; that that one which is there now is going to be presumed to be in the best interest of the people being served. That's what the bill says, isn't it?

SENATOR REDFIELD: You have to understand also that at the time that an area is taken into the city limits that they have to give up their rights, private companies, utility companies, have to give up their rights to their pipeline and everything else and hand it over to the utility company of the city. So it is strictly during that time when it's a developing area outside the city limits.

SENATOR CHAMBERS: Who lays the pipeline?

SENATOR REDFIELD: The company that is going in to service the area, that is determined to service that area, will be laying it, and we don't really want to have two pipelines laid because at the time they came into the city limits you're only going to need one.

SENATOR CHAMBERS: And if the private utility went there first you're saying when this area becomes a part of the city the