



April 16, 2025

The Honorable Javier Mabrey
Chair of the Colorado House Judiciary Committee
200 E Colfax
Denver, CO 80203

RE: SB 126 – The Uniform Antitrust Pre-Merger Notification Act

Dear Chair Mabrey:

On behalf of CTIA®, the trade association for the wireless communications industry, I am writing to express concerns related to SB 126, which would enact the Uniform Antitrust Pre-Merger Notification Act in Colorado.

As you know, there already exists a federal review process, and states already have a process to obtain documents from federal reviewing agencies to be involved in competition investigations by providing sufficient confidentiality assurances to the disclosing companies. Merger information filed at federal agencies is heavily guarded, highly confidential, and competitively sensitive. Therefore, forcing businesses to file with multiple states, when no additional review is needed, is unnecessary.

The wireless industry is highly competitive and disclosure to a state agency without adequate confidentiality obligations is a huge risk for wireless service providers. Specific concerns include:

- The legislation currently allows for disclosures of the information to other states without the disclosing of a company's assent and without obtaining the necessary confidentiality obligations.
- The legislation currently allows the AG's office to make judgments about the level of protection of other states' confidentiality statutes to determine what information is shared. Disclosing companies should be able to make those judgments directly and engage directly with other states before information is shared.
- Mandatory disclosures included in the bill would heighten the risk to leaks of confidential information.

The legislation would force companies to incur unnecessary costs and increase administrative burdens, slowing transactions and delaying merger acquisition. Too, transactions that promote competition could be unnecessarily delayed, and there is no firm timeline for review for transactions where documents are provided.

Again, we appreciate your attention to our concerns and are available to discuss any questions.

Sincerely,

A handwritten signature in black ink that reads "Mike Blank". The signature is stylized and cursive.

Mike Blank
Director of State Legislative Affairs

CC: Members of the Colorado House Judiciary Committee