

**AR4 Protests to Applications for Charter, Service Area Definition, and Economic Feasibility Studies [Section 11-102-201, C.R.S., Section 11-103-304, C.R.S., Section 11-109-306, C.R.S.]**

- A. Any person, firm, or corporation desiring to protest an application for charter for a proposed state bank or trust company shall file with the Commissioner a notice of protest in accordance with the following schedule:

Notice of Hearing on Application for Charter Given Prior to Hearing	Notice of Protest Due to be Filed with Commissioner Prior to Hearing	Motion to Dismiss Due to be Filed with Commissioner Prior to Hearing
30-60 days	20 days	15 days
60-90 days	40 days	30 days
90 days or more	60 days	45 days

- B. Any protest desiring to file a motion to dismiss a charter application based upon defects in the application or in the notice of filing pursuant to Section 11-103-303(3), C.R.S. shall file such motion within the time provided in the schedule in Paragraph (A) of this Rule.
- C. Any de novo state bank, conversion to a state bank, or trust company granted preliminary approval subsequent to the published notice of hearing shall not be barred by this Rule from protesting an application for charter if the requirements of this Rule are not met in a timely manner.
- D. Failure to comply with ~~either of~~ the requirements (A) - (C) of this Rule may result in the denial of the right to appear, be heard, and introduce testimony at a charter application hearing.
- E. Each applicant for charter shall file with the Commissioner and deliver to each person, firm, or corporation that has filed a notice of protest, at least sixty (60) calendar days prior to the hearing on the application, a definition of the primary service area for the proposed bank and a definition of the secondary service area, if any, that the proposed bank or trust company intends to serve.
- F. If the applicant for charter intends to offer a study of the economic feasibility of the proposed bank or trust company at the hearing, it shall be filed in the office of the Commissioner and delivered to each person, firm, or corporation that has filed a notice of protest at least thirty (30) calendar days prior to the hearing.
- G. If the protestant intends to offer a study of the economic feasibility of the proposed bank or trust company at the hearing, such study shall be filed in the office of the Commissioner and delivered to the applicant twenty (20) calendar days prior to the hearing.
- H. If the applicant for charter has any rebuttal economic feasibility material on which the applicant intends to rely, that is made necessary by a protestant's economic feasibility study, such rebuttal economic feasibility material shall be filed in the office of the Commissioner and delivered to each person, firm, or corporation that has filed a notice of protest at least ten (10) calendar days prior to the hearing.
- I. Mailing, with proof of mailing, three (3) calendar days prior to a delivery date shall be deemed to constitute delivery on the required date.
- J. Failure to comply with (E) - (I) of this Rule may cause the Commissioner to exclude the study, and testimony based thereon, from the hearing or to continue the hearing to another date.