

STATE OF COLORADO ADMINISTRATIVE HEARING OFFICER 1700 Broadway #550 Denver, CO 80290	
BEFORE THE SECRETARY OF STATE, COLORADO DEPARTMENT OF STATE, <i>in re</i> ED 2023-31	
ELECTIONS DIVISION OF THE SECRETARY OF STATE,	▲ COURT USE ONLY ▲
Complainant,	CASE NUMBER
vs.	2024 AHO _____
AT&T COLORADO EMPLOYEE PAC	
Respondent.	
COMPLAINT	

Pursuant to § 1-45-111.7, C.R.S. (2023) and Rule 24 of the Secretary’s Rules on Campaign and Political Finance, 8 CCR 1505-6, the Elections Division of the Secretary of State files this Complaint against AT&T Colorado Employee Political Action Committee (“Respondent” or the “Committee”).

BACKGROUND

1. Colorado law requires political committees to report their contributions and expenditures to the appropriate office.
2. Here, the Committee failed to report over \$2,000 worth of contributions in the summer of 2023.
3. Accordingly, the Division brings this complaint for appropriate relief.

PARTIES

4. Complainant is the Elections Division (“Division”) of the Colorado Secretary of State.
5. Respondent is the AT&T Colorado Employee Political Action Committee, a political committee registered with the Colorado Secretary of State, ID # 20095611552.

JURISDICTION AND VENUE

6. The Hearing Officer has jurisdiction under § 1-45-111.7.

7. The Division files this complaint with a hearing officer consistent with § 1-45-111.7(5)(a)(IV), (6).

8. This complaint is timely filed within thirty days of the Division's December 28, 2023, Notice of Investigation under § 1-45-111.7(5)(a)(IV).

9. Venue is proper before the hearing officer under § 1-45-111.7(5).

ALLEGATIONS

10. Respondent is an employee-funded political committee, with the purpose of "to accept and distribute funds to influence the nomination or election of candidates to state or local elective office who support the free enterprise system and advancement of the communications industry."

11. During a routine audit of the TRACER system, the Division discovered that Respondent had failed to account for \$2,020.38 worth of contributions in 2023.

12. Accordingly, the Division initiated a complaint under section 1-45-111.7(7), C.R.S.

13. The Committee fully cooperated with the Division's investigation and review of the complaint, including by identifying the unreported contributions, and working to update its reports to reflect those contributions.

14. The Committee also conducted an extensive audit of its operations and finances. During that process, the Division and the Committee discovered an unresolved discrepancy related to a previously unreported incorrect balance. The parties were able to trace at least part of that discrepancy back to an overreporting error in 2010, which has been corrected.

15. Ultimately, the Division determined that the Committee had failed to report \$2,020.38 worth of contributions on its July 17, 2023, report of contributions and expenditures.

COLORADO CAMPAIGN FINANCE LAW

16. Under Colorado law, all "political committees . . . shall report to the appropriate officer their contributions received[.]" § 1-45-108(1)(a)(I).

CLAIM ONE

**Failure to Include a Sufficient Disclaimer
(§ 1-45-108(1)(a)(I), C.R.S.)**

17. All preceding allegations are incorporated.
18. Respondent failed to report over \$2,000 worth of contributions in 2023.
19. These contributions should have been, but were not, included on the Committee's July 17, 2023, report of contributions and expenditures.
20. The Division is entitled to relief under Article XXVIII of the Colorado Constitution and the Fair Campaign Practices Act, § 1-45-101 *et seq.*

Respectfully submitted this 29th day of January, 2024.

PHILIP J. WEISER
Attorney General

/s/ Peter G. Baumann

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CERTIFICATE OF SERVICE

This is to certify that I will cause the within filing to be served by mail this 29th day of January, 2024, addressed as follows:

AT&T Colorado Political Action Committee
C/O Registered Agent Guillermo Lambarri
7670 S. Chester St.
3rd Floor
Englewood, CO 80112
GL7193@ATT.com
Respondent

/s/ Kerry Wade