

STATE OF COLORADO
Department of State
1700 Broadway
Suite 250
Denver, CO 80290



Mike Coffman
Secretary of State

William A. Hobbs
Deputy Secretary of State

December 17, 2007

VIA EMAIL AND U.S. MAIL

Mr. Don Vopalensky
State Certification Manager
Premier Election Solutions (formerly Diebold Election Systems, Inc.)
P.O. Box 1019
Allen, TX 75013

Re: Colorado Voting System

Dear Mr. Vopalensky:

Your company submitted a voting system to the Colorado Secretary of State to be tested and considered for certification for use in Colorado elections.

In accordance with the Colorado Election Code and Election Rule 45, the Secretary of State's Testing Board conducted a series of tests on your company's voting system. The Testing Board tested for strict compliance with the Secretary of State's Rules. Outside auditors reviewed the Testing Board's findings to ensure that the Board complied with its testing procedures. In addition, the Colorado Office of Cyber Security independently reviewed the Testing Board's findings with respect to security testing.

The certification of voting systems must balance functionality, performance, physical and design characteristics, documentation, audit capacity, security, telecommunications requirements, and accessibility. Section 1-5-616, C.R.S. (2007). Although the Testing Board tested voting systems for strict compliance with the Secretary's Rules, a voting system can be certified as long as it substantially complies with the requirements of the Colorado Election Code, the Secretary's Rules, and any additional testing required by this office. Section 1-1-103 (3), C.R.S. (2007); Election Rule 45.3.2; Election Rule 45.6.3.1. A system substantially complies with the law if the purpose of the law is achieved despite the failure to strictly comply with each and every requirement.

In deciding whether to certify Premier Election System's voting system for use in Colorado elections, I have considered the results of the Testing Board, the results of the independent audit, and the review by the Office of Cybersecurity to determine whether the voting system substantially complies with the requirements of the Colorado Election Code and the Secretary of State Rules. Based on the above information, I have made the following determinations concerning the voting system submitted to this office by Premier Election Solutions:

Software , GEMS, Version Number 1.18.24
Conditionally certified.

Precinct Optical Scanner, Accuvote OS Model "D", Version Number 1.96.6
Conditionally certified.

Central Count Optical Scanner, Accuvote OS Model "D", Version Number 2.0.12
Conditionally certified.

DRE, TSX-C and TSX-D, Version Number 4.6.4
Conditionally certified.

VC Programmer (4.6.1), Voter Card Encoder (1.3.2), and Key Card Tool (4.6.1)
Certified (without conditions).

This decision is effective immediately.

For the components or software listed above as conditionally certified, please review the conditions set out in the certification report "Premier Election Solutions Project Overview – rev. A.2", which will be posted today on the Secretary of State's web site and which is incorporated into this decision by reference, for information regarding the necessary conditions to be fulfilled in order for such equipment to be used.

Sincerely,



Mike Coffman
Secretary of State

cc: County clerk and recorders of counties using Premier Election System's voting systems:
Karen Long, Clerk and Recorder, Adams County
Melanie Woodward, Clerk and Recorder, Alamosa County
June Madrid, Clerk and Recorder, Archuleta County
Russ Ragsdale, Clerk and Recorder, City and County of Broomfield
Ann B. Eddins, Clerk and Recorder, Delta County
Robert C. Balink, Clerk and Recorder, El Paso County
Linda Daley, Clerk and Recorder, La Plata County
Scott Doyle, Clerk and Recorder, Larimer County
Carol Tullis, Clerk and Recorder, Montezuma County
Eryn Follman, Clerk and Recorder, Mineral County
Janice K. Vos Caudill, Clerk and Recorder, Pitkin County
Melinda Myers, Clerk and Recorder, Saguache County
Patricia Crowson, Clerk and Recorder, Teller County
Steve Moreno, Clerk and Recorder, Weld County