**Section 1309.20 Standards for Conversion of Contract to Common Authority**

a) The Commission will convert a contract carrier's permit to a common carrier certificate only to the extent that evidence presented at a hearing demonstrates that the carrier has not been operating as a "contract carrier of property by motor vehicle" as defined by Section 18c-1104(8) of the Illinois Commercial Transportation Law ("the Law") (Ill. Rev. Stat. 1991, ch. 95½, par. 18c-1104(8)), but has been operating as a common carrier of property by motor vehicle as defined by Section 18c-4206 of the Law.

b) If it appears from the evidence that the contract carrier has been operating both as a common and a contract carrier, the Commission will determine whether it would be consistent with the public interest for the carrier to hold both common and contract authority, as required by Section 18c-4206 of the Law.

c) The burden of proving that contract authority should be converted to common authority shall be borne by the party initiating the proceeding.