

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

_____)	
United States of America)	
)	Civil Action No. 1:05CV02102 (EGS)
Plaintiff,)	
)	
v.)	Filed: November 28, 2005
)	
SBC Communications, Inc. and)	
AT&T Corp.,)	
)	
Defendants.)	
_____)	

NOTICE OF AMENDED STIPULATION

The United States and Defendants have entered into an Amended Stipulation filed today with the Court to replace the Stipulation previously filed on October 27, 2005, in order to ensure that the proposed Final Judgment and the parties' stipulation conform with their intended agreement and that they will achieve the objectives of the proposed Final Judgment. In addition, a change was made to Section XIV of the proposed Final Judgment to clarify the basis for the Court's public interest finding.

The superseded Stipulation and proposed Final Judgment did not include "and associated transport" in the definition of "Divestiture Assets." This language would embody the agreement originally intended by all parties and may be necessary to successfully divest some of the Divestiture Assets. Therefore the underlined language has been added to Section II.D.1 of the amended proposed Final Judgment and Section I.D.1 of the Amended Stipulation:

With the approval of the United States, in its sole discretion, in locations listed in Appendix A for which AT&T's interest in the fiber serving the location is an IRU rather than full ownership and if the United States determines that such an alternative disposition will meet the aims of this Final Judgment, defendants may

- (1) enter into a dark fiber service agreement or other commercial arrangement for the Lateral Connections and associated transport with the Acquirer or
- (2) relinquish its IRU rights in the greater of (i) eight (8) fiber strands or (ii) one-half of the currently unused fiber strands in AT&T's facilities serving the locations, measured at the time of the filing of the Complaint, back to the owner of the fiber; and

In addition, Section XIV of the proposed Final Judgment has been modified to clarify the basis for the Court's public interest finding:

The parties have complied with the requirements of the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16, including making copies available to the public of this Final Judgment, the Competitive Impact Statement, and any comments thereon and the United States' response to comments. Based upon the record before the Court, which includes the Competitive Impact Statement and any comments and response to comments filed with the Court, entry of this Final Judgment is in the public interest.

Dated: November 28, 2005

Respectfully submitted,

/s/
Laury E. Bobbish
Assistant Chief

/s/
Lawrence M. Frankel (D.C. Bar No. 441532)
Attorney

Telecommunications & Media Enforcement Section
Antitrust Division
U.S. Department of Justice
City Center Building
1401 H Street, N.W., Suite 8000
Washington, D.C. 20530
(202) 514-5621
Fax: (202) 541-6381