

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

_____	)	
UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	<b>CASE NO. 1:12-CV-01598</b>
	)	
STANDARD PARKING CORPORATION,	)	<b>JUDGE: Leon, Richard J.</b>
KCPC HOLDINGS, INC., and	)	
CENTRAL PARKING CORPORATION,	)	<b>FILED:</b>
	)	
Defendants.	)	
_____	)	

**CERTIFICATE OF COMPLIANCE AND REPORT ON FACILITIES SUBSTITUTION**

Plaintiff, United States of America, hereby certifies that it has complied with the provisions of the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b)-(d) and states:

1. The proposed Final Judgment and Competitive Impact Statement were filed on September 26, 2012;
2. Pursuant to 15 U.S.C. § 16(b), the proposed Final Judgment and Competitive Impact Statement were published in the *Federal Register* on October 3, 2012, 77 Fed. Reg. 60,461-60,475;
3. Pursuant to 15 U.S.C. § 16 (c), a summary of the terms of the proposed Final Judgment and Competitive Impact Statement were published in the *Washington Post*, a newspaper

of general circulation in the District of Columbia, during the period October 1, 2012 through October 7, 2012;

4. The 60-day comment period specified in 15 U.S.C. § 16(b) commenced on October 7, 2012, and terminated on December 6, 2012; this 60-day period commences either on the last day of publication in the newspaper, or the date of publication in the Federal Register, whichever occurs later, and in this case is calculated from the last day of newspaper publication;
5. The United States has not received any written comments from members of the public relating to the proposed Final Judgment, and therefore has not filed or published any Response to Public Comments;<sup>1</sup>
6. Defendants have complied with the requirements of 15 U.S.C. § 16 (g);
7. Pursuant to the Asset Preservation Stipulation and Order entered by the Court and filed on October 1, 2012, and 15 U.S.C. § 16(e), the Court may enter the Final Judgment after it determines that the Judgment serves the public interest;
8. Plaintiff's Competitive Impact Statement demonstrates that the proposed Final Judgment satisfies the public interest standard of 15 U.S.C. § 16(e); and

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<sup>1</sup> Pursuant to 15 U.S.C. § 16(b) and (d), only "written comments" relating to the proposal for the consent judgment are to be considered by the United States, filed with the Court and published in the *Federal Register*.

9. Pursuant to Paragraph IV.A of the Asset Preservation Stipulation and Order entered by this Court, Defendants have already consented that the Final Judgment may be entered by this Court upon the motion of any party after compliance with the requirements of the Antitrust Procedures and Penalties Act, and without further notice to any party or other proceedings, provided that the United States has not withdrawn its consent. In view of the absence of any written public comments, Plaintiff is not requesting a hearing before entry of the Final Judgment. Plaintiff recognizes, however, that the Court indicated during the October 1, 2012 hearing on entry of the Asset Preservation Stipulation and Order that there would be a hearing on entry of the proposed Final Judgment as well. Accordingly, Plaintiff is prepared to appear if and when this Court schedules such a hearing.
10. Pursuant to Paragraph IV.N of the proposed Final Judgment, Plaintiff also hereby reports to the Court that it has accepted alternative divestiture proposals from Defendants with respect to certain Parking Facilities that had not been divested and were not subject to a definitive agreement to divest within sixty days of the filing of the Complaint. Specifically, the United States has agreed that Defendants shall substitute the following parking facilities for the ones originally listed in Schedule A to the proposed Final Judgment. These substituted facilities thereby become Parking Facilities for all purposes under the proposed Final Judgment, in place of the Parking Facilities originally listed. Under Paragraph IV.N of the proposed Final Judgment, the United States has sole

discretion whether to accept or reject such an alternative proposal, but represents that it has reviewed the alternative facilities and concluded that they are similarly effective in remedying the competitive problems alleged in the Complaint in these areas. The alternative Parking Facilities substituted and the ones that they have replaced (and which Defendants are thereby permitted to retain), by city, are: (1) Atlanta, GA – Standard Facility SP2 at 3353 Peachtree Rd. NE with 2490 spaces replaces Central Facility CP6 at 3390 Peachtree Rd. NE with 1292 spaces; (2) Philadelphia, PA – Standard Facility SP9 at 1617 Chancellor St. with 127 spaces replaces Central Facility CP13 at 1616 Sansom St. with 271 spaces; and (3) Phoenix, AZ – Standard Facility SP9 at 3550 N Central Avenue with 945 spaces replaces Central Facility CP12 at 3300 N Central Ave. with 1055 spaces.

Dated: December 21, 2012

Respectfully submitted,

/s/ Carl Willner  
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