

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,)
)
)
Plaintiff,) Civil No.: 1:00CV02073(PLF)
)
v.)
)
SBC COMMUNICATIONS INC. and)
BELLSOUTH CORPORATION,)
)
)
Defendants.)
_____)

CERTIFICATE OF COMPLIANCE WITH PROVISIONS
OF THE ANTITRUST PROCEDURES AND PENALTIES ACT

Plaintiff, United States of America, by the undersigned attorney, hereby certifies that, in compliance with the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16 (b) - (h), the following procedures have been followed in preparation for the entry of a final judgment herein:

1. Plaintiff and defendants stipulated to the entry of the proposed Final Judgment on August 28, 2000, and this Stipulation was filed with the Court on August 30, 2000;
2. The proposed Final Judgment was filed with the Court on August 30, 2000;
3. The Competitive Impact Statement was filed with the Court on August 30, 2000;
4. The Stipulation, proposed Final Judgment, and Competitive Impact Statement were published in the Federal Register on September 20, 2000, Volume 65 No.183, at pages 56926 - 56939;^{1/}

¹ A copy of this Federal Register notice and publication is attached as Exhibit A.

5. Copies of the Stipulation, proposed Final Judgment, and Competitive Impact Statement were furnished to all persons requesting them;
6. A summary of terms of the proposed Final Judgment was published in the Washington Post, a newspaper of general circulation in the District of Columbia, beginning on September 5, 2000 and continuing on consecutive days through September 11, 2000;^{2/}
7. On or about September 11, 2000, defendants SBC Communications, Inc. and BellSouth Corporation each filed with the Court a description of written or oral communications by or on behalf of the defendants, or any other person, with any officer or employee of the United States concerning the proposed Final Judgment, as required by 15 U.S.C. § 16(g);
8. The sixty-day comment period prescribed by 15 U.S.C. §16(b) and (d) for the receipt and consideration of written comments, during which the proposed Final Judgment could not be entered, commenced on September 20, 2000 and ended on November 20, 2000;
9. As of the date of this certificate of compliance, the United States has received no comments on the proposed Final Judgment. Accordingly, it was not necessary for the United States to file any Response of the United States to Comments with the Court, or to publish any comments or Response in the Federal Register, pursuant to 15 U.S.C. §16(d).
10. The parties have now satisfied all the requirements of the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16 (b) - (h), as a condition for entering the proposed Final Judgment, and it is now appropriate for the Court to make the public interest determination required by 15 U.S.C. § 16(e) and to enter the Final Judgment.

² A copy of the newspaper notice and certificate of publication are attached as Exhibit B.

Respectfully submitted,

_____/s/_____
Hillary B. Burchuk
D.C. Bar No. 366755
Lawrence M. Frankel
D.C. Bar No. 441523
Trial Attorney
United States Department of Justice
Antitrust Division
Telecommunications Task Force
1401 H Street, N.W., Suite 8000
Washington, D.C. 20530
(202) 514-5621

Dated: December 28, 2000

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Certificate of Compliance were served by first-class U.S. mail, postage prepaid, this 28th day of December, 2000 upon each of the parties listed below:

Wm. Randolph Smith
Crowell & Moring LLP
1001 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Counsel for SBC Communications Inc.

Bernard A. Nigro, Jr.
Fried, Frank, Harris, Shriver & Jacobson
1001 Pennsylvania Avenue, NW, Suite 800
Washington, D.C. 20004-2505
Counsel for BellSouth Corporation

_____/s/_____
Hillary B. Burchuk
Counsel for Plaintiff