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Federal Communications Commission
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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See *MCI v. FCC*, 515 F.2d 385 (D.C. Cir. 1974).

FOR IMMEDIATE RELEASE
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ENFORCEMENT BUREAU PROPOSES \$88,000 FINE AGAINST SBC FOR VIOLATIONS OF MERGER-RELATED REPORTING CONDITIONS

Washington, DC – Today, the Enforcement Bureau of the Federal Communications Commission announced that it has proposed an \$88,000 fine against SBC Communications, Inc. (SBC) for apparently violating reporting requirements that the Commission imposed pursuant to its approval of the merger application of SBC and Ameritech Corp.

In the *SBC/Ameritech Merger Order*, the Commission adopted the Carrier-to-Carrier Performance Plan. The Performance Plan requires SBC to file monthly reports for 20 different performance categories that reflect SBC's record in responding to requests from its competitors for facilities and services. Because it allows the Commission and state commissions to monitor effectively the quality of SBC's service to competing providers of telecommunications service, the Performance Plan is central to achieving the public interest goals enumerated in the *SBC/Ameritech Merger Order*, including that of ensuring open local markets.

An audit report issued by SBC's independent auditor, along with the underlying data in SBC's monthly filings, revealed that SBC used incorrect benchmarks and excluded key data in the monthly reports for a period of up to 13 months, beginning on November 1, 1999. In proposing the forfeiture, the Enforcement Bureau noted that the Commission's ability to detect possible discriminatory conduct by SBC against its competitors depends upon SBC's strict compliance with the approved terms and conditions of the Performance Plan.

Action by the Chief, Enforcement Bureau, December 19, 2000, Notice of Apparent Liability for Forfeiture (DA 00-2858).

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