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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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FCC AFFIRMS \$88,000 FINE AGAINST SBC FOR FAILING TO COMPLY WITH MERGER CONDITIONS

Washington, DC –Today, the Federal Communications Commission announced that it has affirmed the \$88,000 fine imposed by the Commission’s Enforcement Bureau in March 2001 against SBC Communications, Inc. for 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 required SBC to file detailed monthly reports reflecting its performance in responding to requests for facilities and services from its rivals and end-user customers.

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 from the reports for a period of up to 13 months.

In today’s Order, the Commission rejected all of the defenses asserted by SBC in its Application for Review. Most significantly, in affirming the full amount of the fine imposed in the Forfeiture Order, the Commission observed that, contrary to SBC’s assertions of “near-perfect” compliance, almost 20 percent of SBC’s reported data for January 2000, was flawed. Thus, the Commission found that SBC had willfully, substantially, and repeatedly failed to comply with the merger conditions.

Action by the Commission, May 24, 2001, by Order on Review (FCC 01-184). Chairman Powell, Commissioners Ness, and Tristani. Commissioner Furchgott-Roth dissenting and issuing separate statement.

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