

MAIL ROOM

FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 205542001 NOV 21
Adopted: November 9, 2001
Released: November 13, 2001Ms. Michelle Thomas
Executive Director – Federal Regulatory
SBC Telecommunications, Inc.
1401 I Street, N.W.
Suite 1100
Washington, DC 20005

RECEIVED

RE: *SBC/Ameritech Merger Order*, CC Docket No. 98-141, ASD File No. 99-49

Dear Ms. Thomas:

This letter grants an extension of the deadline for filing an independent auditor's report as required by the *SBC/Ameritech Merger Order*.¹ Specifically, SBC requests an extension of the due date, from November 12, 2001 to December 12, 2001, for the performance data audit required under Condition 24, *Additional Service Quality Reporting*, of the *SBC/Ameritech Merger Order*.² As explained below, the Bureau grants the extension of time.

To ensure on-going compliance, the Commission required SBC to obtain an independent audit of its compliance with the *Merger Conditions*.³ The *Merger Conditions* require SBC to submit the audit report to the Commission by September 1, 2001. On August 13, 2001, the Chief of the Common Carrier Bureau extended the deadline to November 12, 2001 for the Condition 24 performance data.⁴

The last audit of the service quality performance data revealed a number of issues that required interpretative guidance from the staff. Since April 2001, SBC has been working with the Bureau staff on the interpretative issues. The ensuing discussions between the Bureau staff and SBC lasted several months because of the detailed technical nature of the subject matter. Discussions continued after the Bureau's August 13, 2001 letter to address certain unresolved issues. In its request, SBC explains that

¹ Applications of Ameritech Corp., Transferor, and SBC Communications, Inc., Transferee, For Consent to Transfer Control of Corporations Holding Commission Licenses and Lines Pursuant to Sections 214 and 310(d) of the Communications Act and Parts 5, 22, 24, 25, 63, 90, 95, and 101 of the Commission's Rules, CC Docket 98-141, *Memorandum Opinion and Order*, 14 FCC Rcd 14,712 (1999) ("*SBC/Ameritech Merger Order*").

² Condition 24 requires SBC to report quarterly service quality by state according to the NARUC Technology Policy Subgroup "Service Quality White Paper" and by operating company in accordance with Table 1 of the ARMIS Report No. 43-05. *Merger Order* at 15,032-33, && 62-63. The reporting requirements address services provided to business and residential consumers, as well as certain technical and operating data about the company's network performance.

³ *Merger Order* at 15,034, & 66.

⁴ See Letter from Carol E. Matthey, Deputy Chief, Common Carrier Bureau, FCC to Sandra L. Wagner, Vice President, SBC Telecommunications, Inc., DA 01-1916 (rel. Aug. 13, 2001).

the extended discussions impacted the independent auditor's planned work schedule.⁵ SBC further states that an extension is necessary in order to properly implement the interpretative guidance, review its reporting processes, submit corrected reports, and perform a quarter-by-quarter comparative analysis on the data. In discussions with the staff, SBC indicated that the additional time will enable the independent auditor to conduct a thorough and systematic evaluation of the accuracy of SBC's performance data required under Condition 24. For the forgoing reasons, I grant the requested extension of the audit report deadline for Condition 24 from November 12, 2001 to December 12, 2001.

Please do not hesitate to contact me if I can be of further assistance. You may also contact Mark Stone in the Common Carrier Bureau directly at (202) 418-0816 for further information on this matter.

Sincerely,

Carol E. Matthey
Deputy Chief, Common Carrier Bureau

⁵ Letter from Michelle A. Thomas, Executive Director, SBC Telecommunications, Inc. to Dorothy T. Attwood, Chief, Common Carrier Bureau, FCC (Nov. 6, 2001).