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August 9, 2005

VIA HAND DELIVERY

Honorable Elizabeth H. Liebschutz  
Administrative Law Judge  
New York State Department of Public Service  
Three Empire State Plaza  
Albany, New York 12223

RE: **CASE 05-C-0242 - Joint Petition of SBC Communications Inc. and AT&T Corp.,  
Together With Its Certificated New York Subsidiaries, for Approval of Merger**

Dear Judge Liebschutz:

Enclosed please find the original Affidavits of Publication of the Notice of Educational Forums and Public Statement Hearings, published by SBC Communications Inc. in the following newspapers on the dates indicated: *Buffalo News* - July 19, 2005, *Niagara Gazette* - July 19, 2005, *New York Daily News* - July 21, 2005, *Long Island Newsday* - July 21, 2005, *Staten Island Advance* - July 21, 2005, *El Diario la Prensa* - July 21, 2005, *The Journal News* - July 21, 2005, *Albany Times Union* - July 20-21, 2005, *The Record* - July 22, 2005, and the *Schenectady Gazette* - July 21, 2005.

Very truly yours,

Andrew Gansberg

Enclosures

**RECEIVED**

AUG 9 2005

Office of Hearings and  
Alternative Dispute Resolution

Gloria Greene

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*of the City of Buffalo, New York, being  
duly sworn, deposes and says that  
he/she is Principal Clerk of THE  
BUFFALO NEWS, DIV. OF  
BERKSHIRE HATHAWAY, INC.,  
Publisher of the BUFFALO NEWS, a  
newspaper published in said city, that  
the notice of which the annexed printed  
slip taken from said newspaper is a  
copy, was inserted and published  
therein 1 time, the insertion being on  
the 19th day of JULY, 2005.*

*Gloria Greene*

---

Date Ad Ran: 7/19/05

Sworn to before me this

of *July*

*21<sup>ST</sup>* day  
, 2005.

*Renée Spates*

---

Notary Public, Erie County, New York

RENEE SPATES  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 6026194  
CERTIFIED IN ERIE COUNTY  
MY COMMISSION EXPIRES 06/07/20 07

## BUSINESS NEWS

## PERSONAL FINANCE

## Online investors benefiting from brokerage price war

By WILL DEENER

DALLAS MORNING NEWS

DALLAS — The cost of buying a stock has never been cheaper.

A vicious price war is raging, among online brokerages as they scramble to attract and keep customers. That has squeezed the profit margins of the online brokerage firms, but consumers can benefit.

Cyberinvestors now can buy thousands of shares of their favorite stock and pay commissions in many cases of \$10 or less per trade.

"Investors are getting deals now that could not have been imagined a few years ago," said Roger Riney, chief executive of Scottrade Inc., a closely held St. Louis discount broker.

Scottrade offers one of the lowest commission rates — \$7 per trade — but all the major online firms have slashed prices. Charles Schwab Corp., the largest online broker, cut its commission rate recently to \$12.95 per trade from \$19.95.

Similarly, Fidelity has reduced its commission to \$19.95 from \$29.99, and it's even lower for more active traders.

By comparison, some of the major, full-service brokerage

houses still charge commissions of \$100 or more.

Online trading exploded during the late 1990s as the dot-com craze swept through Wall Street and then Main Street. Hundreds of online brokerage firms sprouted during this period.

After the Internet bubble collapsed in the spring of 2000, many of these firms were purchased or closed. Today, six firms account for about 80 percent of all the online-trading volume.

But another round of consolidation could be under way. In mid-June, Ameritrade Holding Corp. announced a \$2.9 billion deal to buy TD Waterhouse Group Inc.

So enjoy the low, low prices while you can. Consolidation will mean less competition, which could mean less need for discounting.

"What you have seen over the past year or so is a mini-price war break out," said Timothy Carpenter, senior analyst at Watchfire Gomez/Pro, which tracks online trading.

Competition is forcing the higher-end firms to become more like the lower-end firms and vice versa, he said. Fidelity still has by far the most in-depth, sophisticated research, but most of the firms

now offer independent research and other offerings.

E-Trade Financial Corp., for example, now operates an online bank and mortgage business.

"We are building out our investing, banking and lending platform," said Michael Curcio, vice president of trading for E-Trade. "Customers can move money among their stock trading accounts, checking accounts and money market accounts."

Some investors may be hesitant to trade stocks over the Internet and prefer face-to-face contact with actual brokers. But increasingly online brokers are becoming more accessible to average investors, and most of them are opening real brick-and-mortar offices.

"All of the firms have enhanced their operations, trying to find a way to differentiate themselves from their competitors," said Mike Vinciguerra, an online analyst at Raymond James & Associates.

Scottrade Inc., one of the fastest-growing discount firms, has 1.1 million online customer accounts, but it also has 230 offices throughout the United States, including one in Williamsville, N.Y. That's more than double the number of offices at Fidelity. Scottrade plans to open 30 to 40 more branches this year.

"Even customers who trade online find it comforting to know there is a Scottrade office a couple miles away," said Riney, of Scottrade. "They can come by and drop off a check or make a deposit of stock into the account. They use the branches quite a bit."

Also, online brokers are offering more "bells and whistles" on their Web sites to help customers better understand investing and trading. For example, now most of the firms offer a cost-basis feature, which helps customers answer the most important question of all: "How are my stocks doing?"

This feature shows what a customer originally paid for a stock and then calculates the profit or loss. A couple of years ago, only the largest firms offered this.

Many of the firms offer financial planning and retirement help with the click of a mouse. Customers can trade options, mutual funds and exchange-traded funds as easily as they do stock.

"As these products have gotten more popular, online brokers are offering them," Vinciguerra said.

Clearly, changes are sweeping through this industry, which really only began about a decade ago. Online trading peaked during early 2000, as millions of novice investors tried but mostly failed to catch a cyber-rocket to riches. Not surprisingly, the collapse of most of the dot-com companies and a blistering bear market brought a dramatic decline in online-trading volume.

The average trading volume at Ameritrade Holding Corp., based in Omaha, Neb., peaked at 270,000 trades per day in early 2000 but fell to 116,000 trades in early 2003. The volume has recovered in the last year to about 170,000 trades per day.

The story was the same at most of the other firms. Many smaller firms were closed or purchased, while the larger firms just tried to stay afloat.

Today, more than 80 percent of the trading volume is confined to six of the largest firms. And most online-trading analysts predict that within a year or two, the Big Five will become the Big Three.

"The big fish spent the last few years eating up the little fish," said Carpenter of Watchfire Gomez/Pro. "The feeling on the street now is that some of the big firms will consolidate."

Cutting costs, slashing prices and merging with competitors are all survival strategies being pushed on the industry. What might help even more is another raging bull market that would get investors enthusiastic about stocks again.

Riney said Scottrade typically attracts the more active traders because of its low commissions, but his average customer trades only once a month.

"The market has been moving sideways more than we would prefer," Riney said. "We would love to see a sustained up market. It's a lot more fun to check your stock prices at the end of the day when the market is going up."

## Dilbert / Scott Adams



## On the Record / Tuesday, July 19, 2005

## Wednesday's events

**Business groups**  
• Public Service Commission, deliberative session, 11:30 a.m., Albright-Knox Art Gallery, 1285 Elmwood Ave.

## Hires/Promotions/Honors

**The Waters of Allegany**, a long term care facility, appointed **Dr. Zia M. Sheikh** medical director and **Clara Lynne Knowles**, a licensed practical nurse, to the facility's nursing staff.

**Hahn and Associates**, a sales training and coaching provider, named **Jeffrey Staebell** a sales associate. Most recently, Staebell was senior vice president of sales and marketing for Computer Education Services Corp.

**UPS** honored **Henry Bartoszek** for completing 20 years of safe driving with the company.

**Hodgson Russ** partners **Lance J. Madden** and **Carol A. Fitzsimmons** recently presented at the **Council of American States in Canada's** "Expand to U.S.A." seminar in Toronto. Madden and Fitzsimmons are members of the firm's International/Cross-Border Practice Group in Buffalo.

**Hilbert College** named **William Hasinger** associate professor of economic

crime investigation. **Anthony Hughes** professor of English and **Andrew Kolin** professor of political science. Hasling, a certified fraud examiner, joined the college in 1999 after nearly 30 years experience as an Internal Revenue Service criminal investigator. Hughes, a published poet and frequent presenter on film studies, has been teaching in the college's English Department since 1997. Kolin, a published author, has been with the college since 1999.

## Company items

**Tapecon**, a Buffalo manufacturer of pressure-sensitive labels, decals, membrane switches, custom fabrications and digital printing, was ranked 29th in Package Printing Magazine's annual list of "Top Tag and Label Converters" in North America. The listing was published in the June 2005 issue of the industry trade journal.

**Dan Gernatt Gravel Products** recently celebrated its 50th anniversary at its headquarters located at 13870 Taylor Hollow Road in Collins. The company's founder, Dan Gernatt Sr., managed the operation until 1979 when his son, Dan Gernatt Jr., took over.

**FB Displays and Designs**, a Williams-ville exhibit design firm specializing in portable and modular displays, has partnered with **Downing Displays**, a Milford, Ohio-based display manufacturer, to incorporate its Reflections and Zap

pieces with FBD's traditional exhibit lines.

## Contributing

**Junior Achievement of WNY** has received the following grants from area companies:  
**M&T Bank** awarded \$9,250 for programs, events and a student scholarship; **The UPS Foundation**, the charitable arm of United Parcel Service, awarded an \$8,000 grant to update the technology needs of the JA office; **MetLife Foundation** awarded a \$5,000 grant to **Junior Achievement of WNY** to launch or expand after school programs and increase financial literacy among the area's youth.

## Patents

**Title:** "Optical arrangement for microscope objective"

**No.:** 6,914,728

**Inventors:** Sharma, Keshav D. (Lancaster, NY)

**Assignee:** Leica Microsystems Inc. (Buffalo, NY)

**Date issued:** July 5, 2005

**Title:** "Decorative bow gift box"

**No.:** D507,178

**Inventors:** Biddlecom, Charles (West Seneca, NY); LoVerde, Tracey (Cheektowaga, NY)

**Assignee:** Mod-Pac Corp. (Buffalo, NY)

**Date issued:** July 12, 2005

## Here's how to pick an online brokerage

By WILL DEENER

DALLAS MORNING NEWS

With more than 100 online brokerage firms to choose from, choosing the right one can be intimidating. Some of the broker rating guides published by Barron's, Kiplinger's and others are helpful, but investing is a personal activity. A broker that appeals to a wealthy investor might not be appropriate for those with only a few hundred dollars to invest.

The good news for investors is that intense competition in the industry has closed the gap among firms on price, quality of service, products and speed of execution. The most active traders in partic-

ular will pay about the same commission fees at Fidelity, E-Trade or Ameritrade.

A good starting point to win now down the firms is to first ask, "How much do I have to invest?" Some firms, such as Scottrade, require only a \$500 minimum, but others like Fidelity require \$2,500.

Second, decide how many trades a month or quarter you plan to make. Most brokers link the commission fee to the trading frequency. While the most active traders will pay about the same no matter the firm, the fees vary widely for less active traders.

Finally, decide how much help, advice and research you need. Most industry experts agree Fidelity has one of the best Web sites and offers some of the best financial advice. However, it's among the pricier brokers for the nonactive trader. Additionally, almost all the firms now offer investing advice, tips and research reports.

"The truth of the matter is that of the top 20 firms, almost any of them would be the best one depending on the needs of a particular customer," Carpenter said.

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## We're opening downtown Buffalo's doors to you!

## CITY LIVING CONTEST

Get a taste of downtown culture. All you have to do is enter to win!

Fill out an entry form located in the CITY LIVING section of Saturday's Buffalo News HOME FINDER section. Contest runs now through the end of the summer. New downtown-themed prizes each week!

## THIS WEEK'S PRIZES:

## Grand Prize

Two tickets to "My Fair Lady" at Shea's Performing Arts Center on Tuesday, Oct. 4, 2005, plus a gift certificate to the Brownstone Bistro and free parking at Pro Park.

## Runner Up Prizes

- Passes for two to a Buffalo Bisons game, plus a gift certificate to Petalbones.
- Passes for four to the Market Arcade Theater and dinner certificate.
- Passes for two to the Irish Classical Theater and dinner certificate.
- Family passes to Buffalo Naval & Servicemen's Park, The Buffalo Transportation Pierce-Arrow Museum and a golf shirt from the Buffalo Niagara Visitor Center.
- Pass for two to Studio Arena, dinner certificate and free parking at Pro Park.
- Pass for two for a sightseeing cruise on the Niagara Clipper.

HomeFinder  
THE PLACE TO LOOK FOR A PLACE TO LIVE

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

CASES 05-C-0237 &amp; 05-C-0242

July 6, 2005

NOTICE OF EDUCATIONAL FORUMS AND PUBLIC STATEMENT HEARINGS  
ON PROPOSALS OF VERIZON AND MCI TO MERGE  
AND OF SBC AND AT&T TO MERGE

The New York Public Service Commission will hold three educational forums and public statement hearings concerning the joint petition of Verizon Communications, Inc. and MCI, Inc. to merge and the joint petition of SBC Communications, Inc. and AT&T Corporation to merge. The Commission may approve the petitions, reject them, or impose conditions on or make modifications to the parties' proposals. To help guide its decision-making process, the Commission is seeking the views of the public.

The educational forums and public statement hearings will be held as follows:

## Buffalo Area

Thursday, July 21, 2005  
Buffalo City Council Chambers  
Buffalo City Hall, Room 1417  
65 Niagara Square  
Buffalo, NY 14202

Educational Forum: 12:00 noon - 1:00 PM.  
Public Statement Hearing: Starting at 1:00 PM.

## New York City Area

Tuesday, July 26, 2005  
City University of New York (CUNY) Graduate Center  
First floor - Baisley Powell Elabash Recital Hall and Lobby  
365 Fifth Avenue (34th Street and Fifth Avenue)  
New York, NY 10016

Educational Forum: 3:00 - 4:00 PM.  
Public Statement Hearing Starting at 4:00 PM.

## Albany Area

Thursday, July 28, 2005  
East Greenbush Town Hall  
225 Columbia Turnpike  
Rensselaer, NY 12144

Educational Forum: 6:00 - 7:00 PM.  
Public Statement Hearing: Starting at 7:00 PM.

At each educational forum, Department of Public Service Staff will informally present and discuss the merger proposals and answer questions.

Following each forum, the public will have an opportunity to make comments at a hearing before Elizabeth H. Liebschutz, the Administrative Law Judge assigned by the Commission to this case. A verbatim transcript of the hearing will be made for inclusion in the record of this proceeding.

It is not necessary to make an appointment in advance or to present written material in order to speak at the public statement hearings. Persons requesting time to speak will be asked to fill out a card and will be called in the order that the cards are handed in. The hearing will continue until everyone wishing to speak has been heard or other reasonable arrangements are made.

Disabled persons requiring special accommodations should contact the Department of Public Service's Human Resource Management Office at (518) 474-2520 as soon as possible.

## Other Ways of Commenting

In addition to attending the hearing, or as an alternative to attendance, persons may mail comments to Jaclyn A. Brillinger, Secretary, Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350. Your comments should refer to "Case 05-C-0237 - Verizon-MCI Merger" and/or "Case 05-C-0242 - SBC-AT&T Merger." Comments must be submitted no later than August 22, 2005.

**Toll-free Opinion Line:** You may call the Commission's Opinion Line at 1-800-335-2120. This number is set up to take comments about pending cases from in-state callers, 24 hours a day. Callers should select English or Spanish and press "2" to leave comments about the proposed mergers.

**The Internet:** You may also comment via the "PSC Comment Form" in the "Consumer Assistance" file accessed through the Commission's Web site at <http://www.dps.state.ny.us>, or via the "Contact Us" link at <http://www.AskPSC.com>. Many libraries offer free Internet access.

All statements and comments received by the Administrative Law Judge and the Commission through any of these methods will be placed in the public case file and be made available for public inspection in the Commission's file room. The joint Verizon-MCI petition and the joint SBC-AT&T petition can be viewed at the Commission's offices, Central Files, 14th Floor, Three Empire State Plaza, Albany, New York or online at <http://www.dps.state.ny.us/05C0237-0242.html>.

## Description of the Proposed Mergers

## Verizon-MCI

Under the proposed transaction, Verizon Communications, Inc., a holding company with many telephone operating company subsidiaries, will acquire the stock of MCI, Inc., which is also a holding company. Initially, MCI's telephone operating subsidiaries will thus become second-tier subsidiaries of Verizon Communications, Inc. Although the proposed transaction does not involve the merger of any assets or operations of any of Verizon's or MCI's regulated subsidiaries, such reorganizations could be made later and, petitioners assert, would be subject to any required regulatory approvals.

The proposed transaction does not call for any change in the rates, terms or conditions for the provision of any telecommunications services provided in New York. Such changes could be made thereafter and would be subject to any required regulatory approvals.

According to the joint petition filed by Verizon and MCI, benefits of the merger will result from the combination of Verizon's local and wireless networks with MCI's national, international, and Internet backbone networks. The petitioners contend that the merger will eliminate duplicative expenses and create operational efficiencies. They assert that Verizon and its MCI subsidiary will be stronger than either would be standing alone, resulting in greater levels of investment and employment than either would sustain without the merger.

## SBC-AT&amp;T

Under the proposed transaction, SBC Communications, Inc., a holding company with many telephone operating company subsidiaries, will acquire the stock of AT&T Corp., which is also a holding company. Initially, AT&T's telephone operating subsidiaries will thus become second-tier subsidiaries of SBC Communications, Inc. Although the proposed transaction does not involve the transfer of any assets or certificates of AT&T's regulated subsidiaries in New York, such transfers could be made later and would be subject to any required regulatory approvals at that time.

According to the petitioners, the transaction will accelerate capital investment in AT&T's facilities. They assert that, once the SBC and AT&T networks are combined as part of one organization, transport will be more efficient and reliability will increase. The claim benefits from making the technological innovations of AT&T Labs available to SBC's residential and small business customers. The petitioners assert that the combined companies will be stronger and better able to compete with other providers.

## These matters are being heard in:

Case 05-C-0237 - Joint Petition of Verizon Communications, Inc. and MCI, Inc. for a Declaratory Ruling Disclaiming Jurisdiction Over or, in the Alternative, for Approval of Agreement and Plan of Merger and

Case 05-C-0242 - Joint Petition of SBC Communications, Inc. and AT&T Corp., Together With Its Certified New York Subsidiaries, for Approval of Merger.

JACLYN A. BRILLINGER  
Secretary







STATE OF NEW YORK

NIAGARA COUNTY, } SS, \_\_\_\_\_

Maria T. Salviski, of said county, being duly sworn, deposes and says that she is now and during the whole time hereinafter mentioned was the Legal Clerk of

The Niagara Gazette

A newspaper published in the County and State aforesaid, and that the annexed printed legal # 135457 was printed and published in said paper at least one a week for one successive weeks, commencing on the 19 day of July and ending on the 19 day of July, 2005.

Maria T. Salviski  
Principal Clerk

Subscribed and sworn to me before this 22 day of July, 2005.

Amy M. Banks  
Notary Public

Amy M. Banks  
Notary Public  
State of New York  
Qualified in Niagara County  
No. 01BA6000433  
My Commission Expires December 15, 20 05

# NOTICE OF EDUCATIONAL FORUMS AND PUBLIC STATEMENT HEARINGS ON PROPOSALS OF VERIZON AND MCI TO MERGE AND OF SBC AND AT&T TO MERGE

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JACLYN A. BRILLING  
Secretary



Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievance.

— 1st Amendment to the U.S. Constitution

## OTHERS SAY

### Can somebody figure out what we should eat?

No wonder Americans are getting fed up with being told what to eat. It's nearly impossible to get through the day without encountering an ad hawking the diet du jour, a book promoting healthy eating or a study on weight that contradicts one you read last week.

But it's unsettling that the Center for Consumer Freedom is trying to exploit this weight loss fatigue to fight reasonable efforts to help Americans get healthier.

The Washington, D.C.-based advocacy group is spending big bucks to convince average Americans that government shouldn't get involved with food choices. That means that states shouldn't ban sugary soda and junk food in school vending machines or require healthier cafeteria lunches, for example.

It's safe to assume that the CFC's real interest isn't in protecting the rights of average Americans, but in protecting the food companies that get fat profits when people overeat and when children develop poor eating habits early. Coca-Cola, Tyson Foods, Wendy's and other food industry giants are the organization's major funders.

Though a widely publicized study found that being slightly overweight can make you live longer, obesity remains a serious health problem. And the number of obese teenagers has tripled in the past 25 years.

Young people, who are bombarded with advertisements for unhealthy food, deserve a little help developing healthy habits. The CFC isn't helping.

— The (Rochester) Democrat & Chronicle, on the food industry.

does about mine.

Every person I have talked to about disclosing this information to the public has told me that they appreciated the fact that I "kept them in the loop," while Newlin, Kilmer and Johnson wanted to keep the public in the dark. Then, nearly every one of them asks me: "What are they trying to hide?"

I believe that our taxpayers and Michael Dowd, the two parties in this matter, have every right to expect full disclosure from each other. After all, this is 250 acres of the people's land we're talking about here. Putting the details out in the open is what Dowd wanted and it is certainly what the people of Lewiston deserve.

Ultimately, this is about

teer services in a variety of ways. The Holiday Toy distribution, the Western New York holiday partnership, the Day of Caring, Make a Difference Day, the annual food drive and membership on committees and the Board of Directors. The total number of hours donated this past year is 1,772, which multiplied by \$17.17 value per hour totals \$30,425.24. We would never be able to successfully host these events without the help of the 914th. Again, volunteer time that we cannot afford to lose and which will directly affect our community.

The community has already shown their support but please do not let your guard down. It's not

Mattie's loss in the second daughter. She worked for the county of Richmond, Va., — a city that dwarfs Niagara Falls. She worked at the busiest branch in Richmond. There was her and one other girl. The main library has a director, head librarian and one assistant librarian.

Here's my suggestion: If you can't get by on \$1 million and free rent from the taxpayers of this city, buy a big lock and padlock the door.

This isn't a library system, it's an employment agency for all the friends of whoever.

William Corsaro  
Niagara Falls

# Rove's fate is sealed

## He meant to undermine agent's credibility

The question is not if, but when Karl Rove will be forced to walk the plank for his alleged role in outing an undercover CIA agent whose husband challenged President Bush's assertion that Saddam Hussein tried to buy a nuclear bomb component from Niger.

The leak supposedly was meant to undermine the credibility of former Ambassador Joseph Wilson, who was sent to Africa in 2002 to determine if the Iraqi leader was shopping there for nuclear bomb parts.

In his 2003 State of the Union address, Bush said "our intelligence sources tell us that (Saddam) has attempted to purchase high-strength aluminum tubes suitable for nuclear weapons production" from the African nation.

Wilson subsequently said he'd found no evidence of such an effort.

Rove tried to discredit him by suggesting to at least one journalist that Wilson did not go to Niger in an official U.S. government role but instead had been sent there by his wife — who Rove said worked for the CIA. Rove has tried to parse his outing of

Wilson's wife by saying he never actually uttered her name. He just made an indirect reference to her, Rove's supporters contend.

Now a special prosecutor is investigating whether a federal law that makes it a crime to reveal the identity of an undercover CIA agent was broken when the name of Wilson's wife, Valerie Plame, found its way into a column written by Robert Novak.

Rove's lawyer says his client has done nothing wrong. That sounds a lot like the denials that came from Republicans during the early days of the Watergate investigation.

That scandal began as an attempt by Republican Party officials to discredit the Democratic candidate who would square off against President Richard Nixon in the fall election. The five Republican operatives caught inside the Democratic Party's Watergate office were trying to plant listening devices there in advance of the Democratic National Convention.

By the time the resulting criminal investigation was in course, Nixon was forced to resign and John Mitchell, his one-time attorney general and re-election committee chairman, was convicted of conspiracy, perjury and obstruction of justice.

But the first to fall were the senior White House staffers who were closely involved with the

Watergate break-in and the subsequent cover-up. Nixon fired John Dean, his White House counsel, and accepted the resignations of his two closest advisers, H.R. Haldeman and John Ehrlichman.

In truth, Haldeman and Ehrlichman walked the plank in a failed attempt to save Nixon's presidency. The Watergate scandal had festered for nearly a year by the time they took their fall. By then, the attention of investigators had turned from the president's underlings to the president.

Rove must go before people begin to seriously ask Bush the question that Tennessee Sen. Howard Baker ultimately asked Nixon: "What did the president know, and when did he know it?"

What did Bush know about Rove's effort to discredit Wilson, who was a thorn in the president's side — and when did he know it? Did he have prior knowledge of his close adviser's alleged decision to out Plame, even indirectly, in an off-the-record conversation with at least one journalist? Did he approve Rove's action in advance?

On the president's side. The sooner Rove exits the White House the better Bush's chances are of capping this scandal before it goes further.

Soon enough, Rove will feel pressured to spare Bush a mea culpa — and will walk the plank.

Write DeWayne Wickham,  
at DeWayneWickham@aol.com.



DEWAYNE  
Wickham

Compiled from wire reports, June 2006  
engine and lead to a crash.  
could deplete power to the  
wire in the alternator  
that may unearth buried  
nuclear waste.

The LOOW site and CWM are dangerous. There is not adequate protection at either site to stop a terrorist attack like the one Timothy McVeigh, from Niagara County I might add, perpetrated or like the Sept. 11 attack. I have sent written communications to both state and federal Homeland Security departments regarding concerns about the potential of a plane or truck setting off a dirty nuclear attack or spewing toxic waste all over the area. No answer.

I spoke face-to-face last month with high-ranking state officials in Albany about the issue. They seemed very concerned, yet when I met with them again last week, they had not even yet raised the issue with the proper departments.

We live on a very light-secured international border. We have improperly and/or lightly secured nuclear and toxic waste stored in close proximity to each other and near residential and school areas.

Until these problems are solved, we should be increasing the military presence, not ending it. We should end the presence of any elected official who is not actively working to stop the pollution and to maintain the highest security for our community.

Some of our elected officials think it's enough to agree with us to pass meaningless resolutions to placate us. We need officials who will make the right things happen; i.e., stop the pollution and keep the air base.

Paul Mokhiber is a Youngstown resident.

## BE OUR GUEST

Express yourself with a "Guest View" 700 words on the topic of your choice. E-mail us at ngedit@gnnews.com to Niagara Gazette, 310 Niagara St. P.O. Box 549, Niagara Falls, N.Y.

# DAILY NEWS

## EDITORIAL

### Band-Aid solution for Medicaid fraud

**S**hamed, embarrassed, caught with his pants down — no good explanation for the loss of untold millions of dollars, Gov. Pataki on Tuesday said he was establishing an inspector general to battle a tsunami of fraud in New York's Medicaid program. Ooooooh, an inspector general! A fright into the thieves who are robbing the program.

Establishing an inspector general, with all the tough connotations of the title, was the rushed act of a politician saying he was doing something about the megatheft that has taken place under his nose — and under the noses of the state's top leaders and attorney general — for years.

The stench has been obvious for as long as there have been Medicaid mills, those one-flight-up medical offices well-known for billing for unnecessary services and drugging addicts. The Daily News has exposed the scandal.

This week, The New York Times took a huge crack at Medicaid fraud again, on a grand scale, dentists billing the state for procedures never performed, mills pumping drugs into the market, nursing home operators taking millions, and public schools dumping thousands of kids into unneeded therapy.

All the while, the Health Department, led by the Hon. Antonia Novello, responded feebly to ripoffs that were obvious to anyone who looked in the agency's files — obvious to the inspectors equipped with a laptop. And Attorney General Eliot Spitzer, supposed to be the state's Medicaid enforcer, was busy with his lines on Wall Street. Joe Bruno's Republican-led Senate passed Medicaid fraud a few months ago, but only after years of helping the state with Medicaid cost controls. And Sheldon Silver's Democratic Assembly still acts as if Medicaid fraud doesn't exist and a crack in the system that deprive poor kids and elderly shut-ins of crucial care.

Phooey on all these politicians. It's the taxpayers who are ripped off. In fact, some experts say 10% to 40% of New York's Medicaid dollars go into the pockets of crooks. You do the math. That's \$4 billion a year. And phooey, too, on Pataki's promise to pass anti-fraud legislation and upgraded computers and the like, not to mention the warmed-over anti-fraud legislation.

The state needs a far more aggressive, far more coordinated unit, joining the Health Department and the attorney general's office, properly funded unit, sparing no expense. For New York spends policing Medicaid, taxpayers should receive four times as much in savings, as in other states. The state needs to put aside partisanship and telling the health-care industry who rule the Legislature to, well, go to hell. As the

### Craving justice

**T**here are reports that jailed Iranian dissident journalist Akbar Ganji, in the fifth week of a hunger strike, is now hospitalized in a Tehran hospital, whence he was taken this week — and it is difficult to know what is true in Iran. Ganji has given up. More likely, his captors are releasing him for political reasons, making a last-ditch effort to save him from a fate too feeble to fight them. Yesterday, there were even reports of a forthcoming pardon. Would that a pardon were the result of world pressure. But, alas, the world seems largely uninterested in the fate of one courageous man.

Ganji, now 46 — and down to about 119 pounds, his wife — had been serving a six-year term for writing a book linking government officials to the murders of dissidents. He was eventually permitted a medical leave, but then he committed the crime of branding the Iranian elections a sham staged by the regime. For true democracy, he urged a boycott of the vote and was arrested. He immediately started the hunger strike.

Last week, President Bush called for Ganji's immediate release and asked "all supporters of human rights, the United Nations, and the United Nations, to take up Ganji's case." Take it up, they have. The European Union and such individuals of conscience as Desmond Tutu, who recognize the difference between true human rights violations and the fictional atrocities of the fictional guardians of the good so busily lay at America's feet.

Akbar Ganji has put a name to courage in Iran. He is what the world community can't accept — so many are led by the UN, having little acquaintance with the quality of

DAILY NEWS

Friday, July 21, 2005

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STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

July 6, 2005

NOTICE OF EDUCATIONAL FORUMS AND PUBLIC STATEMENT HEARINGS  
ON PROPOSALS OF VERIZON AND MCI TO MERGE  
AND OF SBC AND AT&T TO MERGE

The New York Public Service Commission will hold three educational forums and public statement hearings concerning the joint petition of Verizon Communications, Inc. and MCI, Inc. to merge and the joint petition of SBC Communications, Inc. and AT&T Corporation to merge. The Commission may approve the petitions, reject them, or impose conditions on or make modifications to the parties' proposals. To help guide its decision-making process, the Commission is seeking the views of the public.

The educational forums and public statements hearings will be held as follows:

Buffalo Area

Thursday, July 21, 2005  
Buffalo City Council Chambers  
Buffalo City Hall, Room 1417  
65 Niagara Square  
Buffalo, NY 14202  
Educational Forum: 12:00 noon - 1:00 P.M.  
Public Statement Hearing: Starting at 1:00 P.M.

New York City Area

Tuesday, July 26, 2005  
City University of New York (CUNY) Graduate Center  
First floor - Baisley Powell Elabash Recital Hall and Lobby  
365 Fifth Avenue (34th Street and Fifth Avenue)  
New York, NY 10016  
Educational Forum: 3:00 - 4:00 P.M.  
Public Statement Hearing: Starting at 4:00 P.M.

Albany Area

Tuesday, July 28, 2005  
East Greenbush Town Hall  
225 Columbia Turnpike  
Rensselaer, NY 12144  
Educational Forum: 6:00 - 7:00 P.M.  
Public Statement Hearing: Starting at 7:00 P.M.

At each education forum, Department of Public Service Staff will informally present and discuss the merger proposals and answer questions.

Following each forum, the public will have an opportunity to make comments at a hearing before Elizabeth H. Liebschutz, the Administrative Law Judge assigned by the Commission to this case. A verbatim transcript of the hearing will be made for inclusion in the record of this proceeding.

It is not necessary to make an appointment in advance or to present written material in order to speak at the public statement hearings. Persons requesting time to speak will be asked to fill out a card and will be called in the order that the cards are handed in. The hearing will continue until everyone wishing to speak has been heard or other reasonable arrangements are made.

Disabled persons requiring special accommodations should contact the Department of Public Service's Human Resource Management Office at (518) 474-2520 as soon as possible.

Other Ways of Commenting

In addition to attending the hearing, or as an alternative to attendance, persons may mail comments to Jaclyn A. Brilling, Secretary, Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350. Your comments should refer to "Case 05-C-0237 - Verizon-MCI Merger" and/or "Case 05-C-0242 - SBC-AT&T Merger." Comments must be submitted no later than August 22, 2005.

**Toll-free Opinion Line:** You may call the Commission's Opinion Line at 1-800-335-2120. This number is set up to take comments about pending cases from in-state callers, 24 hours a day. Callers should select English or Spanish and press "2" to leave comments about the proposed mergers.

**The Internet:** You may also comment via the "PSC Comment Form" in the "Consumer Assistance" File accessed through the Commission's Web Site at <http://www.dps.state.ny.us>, or via the "Contact Us" link at <http://www.AskPSC.com>. Many libraries offer free Internet access.

All statements and comments received by the Administrative Law Judge and the Commission through any of these methods will be placed in the public case file and be made available for public inspection in the Commission's file room. The joint Verizon-MCI petition and the joint SBC-AT&T petition can be viewed at the Commission's offices, Central Files, 14th Floor, Three Empire State Plaza, Albany, New York or online at <http://www.dps.state.ny.us/05C0237-0242.html>.

Description of the Proposed MergersVerizon-MCI

Under the proposed transaction, Verizon Communications, Inc., a holding company with many telephone operating company subsidiaries, will acquire the stock of MCI, Inc., which is also a holding company. Initially, MCI's telephone operating subsidiaries will thus become second-tier subsidiaries of Verizon Communications, Inc. Although the proposed transaction does not involve the merger of any assets or operations of any of Verizon's or MCI's regulated subsidiaries, such reorganizations could be made later and, petitioners assert, would be subject to any required regulatory approvals.

The proposed transaction does not call for any change in the rates, terms or conditions for the provision of any telecommunications services provided in New York. Such changes could be made thereafter and would be subject to any required regulatory approvals.

According to the joint petition filed by Verizon and MCI, benefits of the merger will result from the combination of Verizon's local and wireless networks with MCI's national, international, and Internet backbone networks. The petitioners contend that the merger will eliminate duplicative expenses and create operational efficiencies. They assert that Verizon and its MCI subsidiary will be stronger than either would be standing alone, resulting in greater levels of investment and employment than either would sustain without the merger.

SBC-AT&T

Under the proposed transaction, SBC Communications, Inc., a holding company with many telephone operating company subsidiaries, will acquire the stock of AT&T Corp., which is also a holding company. Initially, AT&T's telephone operating subsidiaries will thus become second-tier subsidiaries of SBC Communications, Inc. Although the proposed transaction does not involve the transfers of any assets or certificates of AT&T's regulated subsidiaries in New York, such transfers could be made later and would be subject to any required regulatory approvals at that time.

According to the petitioners, the transaction will accelerate capital investment in AT&T's facilities. They assert that, once the SBC and AT&T networks are combined as part of one organization, transport will be more efficient and reliability will increase. They claim benefits from making the technological innovations of AT&T Labs available to SBC's residential and small business customers. The petitioners assert that the combined companies will be stronger and better able to compete with other providers.

\*\*\*\*\*

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JACLYN A. BRILLING, Secretary

STATE OF NEW JERSEY  
COUNTY OF HUDSON

JUANITA BOYLE , being duly

sworn, says that he/she is the Principal  
Clerk of 'THE DAILY NEWS,' a daily and  
Sunday newspaper printed and published in  
the City of New York, and that the notice, of  
which the annexed is a copy, was published  
in the said newspaper within the section of

CS July 21, 2005

Juanita Boyle  
(Principal's signature)

SWORN TO AND SUBSCRIBED  
BEFORE ME ON THIS DATE

JUL 22 2005

JEANNETTE CALLE  
Notary Public of New Jersey  
Commission Expires 7/20/2009

Jeannette Calle



L13878575

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK)

) ss:

COUNTY OF SUFFOLK)

Kathy Sullivan of Newsday, Inc. ("Newsday") being duly sworn, says that such person is, and at the time of publication of the annexed Notice was, a duly authorized custodian of records of Newsday, Inc., the publisher of Newsday, a newspaper published in the Counties of Suffolk, Nassau, Queens, and elsewhere in the State of New York and other places, and that the Notice (a copy of which is annexed hereto), was published in the following editions/counties of Newsday, as indicated by the initial in the box:

Nassau ☒

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on the following date(s):

July 21, 2005

SWORN to before me this  
21<sup>st</sup> day of July 2005

Kathy Sullivan

Guy P. Wasser  
Notary Public, State of New York  
No. 01WA6045924  
Commission Expires 08/07/2006  
Qualified In Suffolk County

Guy P. Wasser







# STATE OF NEW YORK PUBLIC SERVICE COMMISSION

July 6, 2005

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#### SBC-AT&T

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• Cases 05-C-0242 - Joint Petition of SBC Communications, Inc. and AT&T Corp., Together With Its Certificated New York Subsidiaries, for Approval of Merger

JACLYN A. BRILLING  
Secretary

tion to them is, what will it take to be able to get a person confirmed by early October? But the more perils ques-

conservative me-  
Rehnquist, A  
lia and Clarence Th

## s' Scotty, dies at 85

for favorite characters.

world, the mission of "Star Trek" never ended — an alien would always irritate the Brady Bunch would be a novel.

In the world, there was no limit to the goodwill between actor and fan, and fetishization would set in for shiny objects (toys, costumes), relics (autographs, ephemera) and most of all, the chance to see and speak to and touch and hug the union-scale actors who'd chanced into it all. Once the stars of "Star Trek" recognized their roles in this particular hereafter, their lives got happier, and so did ours.

### NORMANDY VETERAN

Doohan would learn that it would be possible to turn Scotty on and off, in as many paid appearances per year as he could manage. In real life, this man had stormed the Normandy beaches on D-Day in the Royal Canadian Artillery — and lost the middle finger of his right hand. He later somehow wound up doing radio dramas, then moved to Hollywood to act in bit parts, landing the "Trek" pilot at age 45.

Doohan was Scotty; Scotty was Doohan, and an archetypal employee/colleague/friend was given a name:



**DOOHAN:** The Canadian born actor appears in character as Montgomery "Scotty" Scott in a scene from the 1994 film "Star Trek Generations." Doohan died yesterday.

Scotty is the person in your office who swears that a project cannot possibly get done by deadline, then somehow pulls it out at the last minute. His favorite words: can't, won't, need more, impossible, losing power, can't, won't, overloaded, no way.

You have to let the Scottys blow off steam, and you have to remember what they always say in the end: Aye, aye sir.

## ly rating

the industry-run board's initial "M" rating had been "seriously undermined."

Many retailers sell "M" rated games, which "may be suitable for persons ages 17 and older," according to the Entertainment Software Rating Board, but won't sell "AO"-labeled games at all.

"Grand Theft Auto: San Andreas" was last year's top console game, selling more than 5.1 million copies in the U.S. after its October release, according to market analyst NPD Group. Xbox and PC versions were released last month.

Take-Two's net sales

could drop by more than \$50 million this quarter, and lowered its financial expectations for the year to set aside funds for returns of the games. Guidance was reduced to \$1.05 to \$1.12 per share on \$1.26 billion to \$1.31 billion in sales from a prior estimate of \$1.40 to \$1.47 per share and sales of \$1.3 billion to \$1.35 billion.

Shares of Take-Two rose 12 cents to close at \$27.07 on the Nasdaq, but later dropped \$1.81, or 6.7 percent, to \$25.26 in after-hours activity after falling more than 11 percent when the decision was announced. The stock has traded between \$19.26 and \$29.60 over the past year.



STATE OF NEW YORK

}  
}  
} SS.  
}  
}

COUNTY OF RICHMOND

**LEANORA CHIARUTTINI** being duly sworn, says that she is the Legal Advertising Clerk of the **STATEN ISLAND ADVANCE**, a daily newspaper printed and published in the County of Richmond, State of New York: that a **NOTICE**, of which the annexed is a printed copy, has been regularly published in said newspaper

For **ONE (1) time(s)** on the following date (s) to wit:

**JULY 21, 2005**


commencing on the **21ST day of JULY, 2005**

and the last insertion being **JULY 21ST, 2005**

  
Legal Advertising Clerk

Sworn to before me, this

**21ST day of JULY, 2005**

  
\_\_\_\_\_  
**ARTHUR SILVERSTEIN**  
Notary Public, State of New York  
No. 43-4646974  
Qualified in Richmond County  
Term Expires 5/31/07

EL CAMPEON DE LOS HISPANOS

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## AFFIDAVIT OF PUBLICATION

State of New York )

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County of New York )

Gladys Cepin-Gonzalez Being duly sworn declares that he/she is

Account Executive, For the daily newspaper El Diario / La Prensa,

Published in the City, County and State of New York by CPK NYC, LLC,  
with main offices located at 345 Hudson Street, 13<sup>th</sup> Flr, New York, NY 10014

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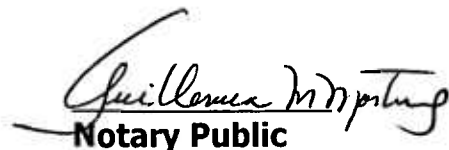
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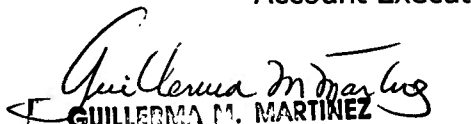
21<sup>st</sup> day of July of year 2005

Sworn to before me this 22<sup>nd</sup>

Day of Month of July, 2005

  
Gladys Cepin-Gonzalez  
Account Executive

  
Notary Public

  
GUILLERMA M. MARTINEZ  
Notary Public, State of New York  
ID. 01MA 6003 619  
Qualified in New York County  
Commission Expires 3-9-2006

# Torneo de fútbol de cuatro estrellas

JUAN FERNANDO MERINO/EDLP

NUEVA YORK — Nunca antes en la historia de Nueva York se han dado cita un mismo día en un campo de fútbol tantísimas estrellas... gastronómicas.

Allí estarán este domingo 24 de julio en la cancha de Roosevelt Island los chefs más prestigiosos de la ciudad, sus asistentes y pinches de cocina, los maître d', capitanes, meseros y bartenders de aquel selectísimo club de los elegidos gastronómicos, enfrentados en el medio campo o en el área de penalty.

Se trata del IV torneo anual Chamber Sunbelt Cup, auspiciado por la compañía importadora de vinos y licores Sunbelt, y en cual participan cuatro de los cinco restaurantes neoyorquinos que ostentan cuatro estrellas del New York Times ("Daniel", "Le Bernardin", "Masa" y "Jean George"), así como dos invitados especiales ("Alain Ducasse" y "Alto").

Las eliminatorias tendrán lugar el día 24 entre las 10 de la mañana y las 4 de la tarde y las finales el día 31 en el mismo horario. El evento es gratuito y abierto al público y por supuesto la comida será abundante, con platillos de degustación de los distintos restaurantes.

Finalizado el evento se llevarán a cabo una serie de rifas entre los participantes: al menos dos becas para asistir a cursos en prestigiosas academias culinarias y el resto invitaciones a comer en los restaurantes de la "competencia". ¡Un golazo de los organizadores!

## Fútbol con sabor hispano

Los fundadores y organizadores del torneo son los mexicanos Pablo y Henry Aguilar, el primero presidente de la corporación Latin Connoisseur, que promueve la gastronomía y la difusión en nuestra ciudad de vinos de Hispanoamérica; el segundo, Maître d' del restaurante "Alain Ducasse". Según explicó Pablo durante la rueda de prensa para presentar el evento, lo iniciaron con la intención primordial de que las personas que trabajan en ese tipo de establecimientos se conocieran entre sí en un ambiente diferente y más distendido. "El trabajo en un restaurante es muy estresante y más aún en un establecimiento de cuatro estrellas en el que por definición todo tiene que estar perfecto... Son círculos pequeños, muy restringidos, y el conocerse puede resultar ventajoso para todos".

Por cierto, el sabor hispano estará ampliamente representado en la cancha, pues según explican los mismos organizadores, el 60 % de la fuerza laboral en los restaurantes de alta cocina de EE.UU. está compuesta por hispanos.

Por el momento no hay ningún restaurante latinoamericano en Nueva York que pertenezca a la gran liga de las cuatro estrellas, pero Pablo Aguilar asegura que hay algunos de extraordinaria calidad, que están mejorando a ojos vistas, y que no le extrañaría que esto ocurriera en un destino no muy lejano.

## La estrella perdida

En un momento dado de la rueda de prensa, la conversación se desvió del torneo de fútbol y lo estrictamente deportivo hacia el escándalo que sacude a la sociedad... No; no nos referimos al caso de Karl Rove y la filtración de la



HUMBERTO ARELLANO/EDLP

Durante la presentación del IV torneo de fútbol Chamber Sunbelt Cup en el que participa el personal de los restaurantes de cuatro estrellas aparecen de derecha a izquierda el chef Scott Conant, del restaurante "Alto"; Tony Esnault, chef de "Alain Ducasse"; Henry Aguilar, uno de los organizadores del evento; Jean Francoise Scordia, de Chamber Sunbelt y Pablo Aguilar, presidente de la corporación Latin Connoisseur, también del comité organizador.

espía, sino al escándalo por la pérdida de una de las estrellas del "Alain Ducasse" y la crispada reacción de la exclusiva sociedad de la alta cocina en la ciudad.

¡Ellos las ponen y ellos las quitan! En todo caso el crítico de gastronomía del New York Times escribió un artículo muy duro sobre el restaurante (injusto y muy personal, según nos han dicho varias personas que conocen el caso), el restaurante perdió una estrella, y el chef anterior, Christian Delouvrier, perdió su trabajo. Lo grave —y lo más lamentable para el chef Delouvrier— es que Alain Ducasse (quien es propietario o consultor de cerca de 30 restaurantes en distintos países) vinculó directamente y en público la acción del periódico neoyorquino y su influyente crítico gastronómico Frank Bruni, con el hecho de que "dejaba ir al chef para que continuara con otros proyectos".

## El poder de la gran prensa

El hecho ha sido muy criticado en los círculos gastronómicos por la falta de lealtad y apoyo de Ducasse a su chef y por la desmedida influencia que puede tener un periodista especializado de alguna de las grandes publicaciones de la ciudad.

A propósito, algo similar ocurrió con el cancelado musical "Mambo Kings", del cual se hablaba ayer en esta misma columna. Según una persona vinculada a la producción y quien pidió no ser

identificada, cuando el futuro del musical era incierto a causa de las críticas negativas en los diarios de San Francisco, pero aún existía la posibilidad de inyectarle nueva vida con un cambio de elenco y cambios en el libreto y la música... todo se vino al traste a raíz de un comentario devastador de un crítico teatral de otra influyente publicación neoyorquina... ¡que no había visto la obra!

## A reivindicarse en la cancha

¿Que el restaurante "Alain Ducasse" ya no merece las cuatro estrellas según el New York Times? ¡Eso está por verse! Por lo pronto van a demostrar todo lo que saben en la cancha del Roosevelt, animados desde la banca por el nuevo chef, Tony Esnault.

Por cierto, durante la rueda de prensa, Esnault afirmó que el restaurante no ha sufrido una pérdida de respeto y que no lo desvelaban las críticas de Bruni, "irresponsables ya que no entiende todo el espectro de la cocina". Concluyó diciendo que "el restaurante seguirá estando aquí mucho después de que el señor Bruni ya se haya ido".

En todo caso, y volviendo al campo futbolístico, ¡que tiemble el equipo del restaurante "Masa", al cual se enfrentan los de "Alain Ducasse" aquel primer domingo!

Claro que nos hemos enterado de buena fuente de que "Masa" va a tener un refuerzo de categoría internacional:



ARCHIVO

Masa Takayama, propietario y chef del restaurante "Masa", se está preparando para ser el guardameta de su equipo.

en la portería estará nada menos que el propietario y chef del restaurante, Masa Takayama, considerado uno de los mejores chefs de sushi del mundo entero.

¡Lo van a tener muy crudo los jugadores del "Alain Ducasse"!

jmerino@eldiariom.com

**COMISION DE SERVICIO PUBLICO  
DEL ESTADO DE NEW YORK**

**6 de julio del 2005**

**AVISO DE FORO INSTRUCTIVO Y AUDIENCIAS DE DECLARACION PUBLICA, SOBRE LAS  
PROPUESTAS DE VERIZON Y MCI PARA UNIRSE Y DE SBC Y AT&T PARA UNIRSE**

La Comisión de Servicio Público de New York celebrará tres foros instructivos y audiencias de declaración pública, relacionados con la petición conjunta de Verizon Communications, Inc. y MCI, Inc. para fusionarse, y la petición conjunta de SBC Communications, Inc. y AT&T Corporation para fusionarse.

La Comisión puede aprobar las peticiones, rechazarlas o imponer condiciones o hacer modificaciones a las propuestas de las partes. Para ayudar a guiar su proceso al tomar las decisiones, la Comisión está buscando los puntos de vista del público.

Los foros instructivos y las audiencias de declaración pública, se celebrarán como sigue:

**Area de Buffalo**

Jueves 21 de julio del 2005  
Buffalo City Council Chambers  
Buffalo City Hall, Room 1417  
65 Niagara Square  
Buffalo, NY 14202

Foro Instructivo: 12:00 del mediodía - 1:00pm  
Audiencia de declaración Pública: A partir de la 1:00pm

**Area de la Ciudad de New York**

Martes 26 de julio del 2005  
Centro de Graduados de City University of New York (CUNY)  
Primer Piso - Baisley Powell Elabash Recital Hall y  
el Vestíbulo  
365 Fifth Avenue (calle 34 y Quinta Avenida)  
New York, NY 10016

Foro Instructivo: 3:00pm - 4:00pm  
Audiencia de Informe Público: A partir de las 4:00pm

**Area de Albany**

Jueves 28 de julio del 2005  
East Greenbush Town Hall  
225 Columbia Turnpike  
Rensselaer, NY 12144

Foro Instructivo: 6:00pm - 7:00pm  
Audiencia de declaración Pública: A partir  
de las 7:00pm

En cada foro instructivo, un funcionario del Departamento de Servicio Público presentará informalmente y discutirá las propuestas de fusión y responderá las preguntas.

Al finalizar cada foro, el público tendrá una oportunidad para hacer comentarios en una audiencia ante Elizabeth H. Liebschutz, la Juez Legal Administrativa asignada por la Comisión para este caso. Se hará una transcripción al pie de la letra para incluirla en el récord de este proceso.

No necesita hacer una cita por adelantado o presentar material escrito para hablar en las audiencias de informe público. A las personas que soliciten hablar se les pedirá que llenen una tarjeta y se les llamará en el orden en que las tarjetas fueron entregadas. La audiencia continuará hasta que todos aquellos que deseen hablar hayan sido escuchados o se hayan hecho otros arreglos.

Las personas minusválidas que requieren acomodamiento especial deben contactar a la Oficina de Administración de Recursos Humanos del Departamento de Servicio Público al (518)474-2520 tan pronto como sea posible.

**Otra Forma de Emitir su Comentario**

Además de asistir a la audiencia, o como una alternativa de asistir, las personas pueden enviar por correo los comentarios a Jaclyn A. Brilling, Secretary, Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350. Sus comentarios deben referirse a "Case 05-C-0237 - Verizon-MCI Merger" y/o "Case 05-C-0242 - SBC-AT&T Merger". Los comentarios deben someterse a más tardar el 22 de agosto del 2005.

**Línea Gratuita de Opinión:** Usted puede llamar a la Línea de Opinión de la Comisión al 1-800-335-2120. Este número está programado para tomar los comentarios sobre los casos pendientes de quienes llamen dentro del estado, las 24 horas del día. Quienes llamen deben seleccionar inglés o español y presionar "2" para dejar los comentarios sobre las fusiones propuestas.

**La Internet:** Usted también puede emitir su comentario vía "PSC Comment Form" en el archivo "Consumer Assistance" al conectarse a través del sitio en la Internet de la Comisión en <http://www.dps.state.ny.us>, o vía el enlace "Contact Us" en <http://www.AskPSC.com>. Muchas bibliotecas ofrecen acceso gratuito a la Internet.

Todos los informes y comentarios recibidos por el Juez Legal Administrativo y la Comisión a través de cualquiera de estos métodos serán ubicados en el archivo público del caso y estarán disponibles para la inspección del público en la sala de archivo de la Comisión. La petición conjunta de Verizon-MCI y la petición conjunta de SBC-AT&T pueden verse en las oficinas de la Comisión, Archivos Centrales, Piso 14, Three Empire State Plaza, Albany, New York o en la Internet en <http://www.dps.state.ny.us/05C0237-0242.html>.

**Descripción de las Fusiones Propuestas**

**Verizon-MCI**

Bajo la transacción propuesta, Verizon Communications, Inc., una compañía matriz con muchas subsidiarias de compañías de operación telefónica, adquirirá el capital comercial de MCI, Inc., la cual también es una compañía matriz. Inicialmente, las subsidiarias de operación telefónica se convertirán en subsidiarias "second-tier" de Verizon Communications, Inc. A pesar de que la transacción propuesta no envuelve la fusión de ninguno de los bienes u operaciones de ninguna subsidiaria regulada de Verizon o MCI, tales reorganizaciones pueden hacerse posteriormente y, afirman los peticionarios, serían sujetas a cualquier aprobación regulatoria requerida.

La transacción propuesta no propone ningún cambio en los precios, términos o condiciones para el suministro servicio de telecomunicaciones en New York. Tales cambios pueden hacerse posteriormente y estarían sujetos a cualquier aprobación regulatoria requerida.

De acuerdo con la petición conjunta registrada por Verizon y MCI, los beneficios de la fusión resultarán de la combinación de las redes inalámbricas y locales de Verizon con las redes nacionales, internacionales y la Central de Internet de MCI. Los peticionarios sostienen que la fusión eliminará gastos duplicados y creará eficiencia operacional. Ellos afirman que Verizon y su subsidiaria MCI serían más poderosas que lo que serían permaneciendo por separadas, resultando en niveles mayores de inversiones y empleos que cualquiera de las dos sin la fusión.

**SBC-AT&T**

Bajo la transacción propuesta, SBC Communications, Inc., una compañía matriz con muchas subsidiarias de compañías de operación telefónica, adquirirá el capital comercial de AT&T Corp., la cual también es una compañía matriz. Inicialmente, las subsidiarias de operaciones telefónicas de AT&T se convertirán en subsidiarias "second-tier" de SBC Communications, Inc. A pesar de que la transacción propuesta no envuelve las transferencias de ninguno de los bienes o certificados de las subsidiarias reguladas de AT&T en New York, tales transferencias pueden hacerse posteriormente y estarían sujetas a cualquier aprobación regulatoria requerida en este momento.

De acuerdo con los peticionarios, la transacción acelerará la inversión de capital en los establecimientos de AT&T. Ellos afirman que, una vez que las redes de SBC y AT&T estén combinadas como parte de una organización, el transporte será más eficiente y la confiabilidad se incrementará. Ellos se beneficiarían al hacer las innovaciones tecnológicas de los Laboratorios de AT&T disponibles para los clientes residenciales y de pequeños negocios de SBC. Los peticionarios afirman que las compañías combinadas serán más poderosas y estarán mejor capacitadas para competir con otros proveedores.

Estos asuntos están siendo escuchados en:

- Caso 05-C-0237 - Petición Conjunta de Verizon Communications, Inc. y MCI, Inc. para la Jurisdicción de Desautorización de las Reglas Declaratorias Sobre o, en la Alternativa, para la Aprobación del Acuerdo y el Plan de Fusión y
- Caso 05-C-0242 - Petición Conjunta de SBC Communications, Inc. y AT&T Corp., Junto con sus Subsidiarias Certificadas de New York, para la Aprobación de la Fusión.

**JACLYN A. BRILLING  
Secretaria**



# AFFIDAVIT OF PUBLICATION

from

## The Journal News

STATE OF NEW YORK  
COUNTY OF WESTCHESTER

### Northern Area

Armonk	North Salem
Armonk	Ossining
Baldwin Place	Peekskill
Bedford	Pound Ridge
Bedford Hills	Purdys
Briarcliff Manor	Shenrock
Buchanan	Shrub Oak
Chappaqua	Somers
Croton	South Salem
Cross River	Verplanck
Croton Falls	Waccabuc
Croton on Hudson	Yonkers Heights
Goldens Bridge	Brewster
Granite Springs	Carmel
Jefferson Valley	Cold Spring
Katonah	Garrison
Lincolndale	Lake Peekskill
Millwood	Mahopac
Mohegan Lake	Mahopac Falls
Montrose	Putnam Valley
Mount Kisco	Patterson

X

### Central Area

Ardsley	Pleasantville
Ardsley on Hudson	Port Chester
Dobbs Ferry	Purchase
Elmsford	Rye
Greenburgh	Scarsdale
Harrison	Tarrytown
Hartsdale	Thermon
Hawthorne	Valhalla
Ivington	White Plains
Larchmont	Hasbrouck on Hudson
Mamaroneck	

X

### Southern Area

Mount Vernon	Eastchester
Yonkers	New Rochelle
Tuckahoe	Pelham
Bronxville	

X

### Rockland Area

Suffern	Pocahontas
Blauvelt	Stearnsburg
Congers	Sparkill
Garnerville	Spring Valley
Haverstraw	Stony Point
Hiborn	Talman
Nanuet	Tappan
New City	Thermon
Nyack	Tomkins Cove
Orangeburg	Valley Cottage
Pailsades	West Haverstraw
Pearl River	West Nyack
Piermont	

X

Vilma Avelar

being  
duly sworn, says that he/she is the principal clerk of The Journal  
News, a newspaper published in the County of Westchester and  
State of New York, and the notice of which the annexed is a  
printed copy, was published in the newspaper indicated on the  
left and on the dates checked below:

Ad # D5930573										Year 2005									
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	
July																			
	19	20	21	22	23	24	25	26	27	28	29	30	31						
			X																

Signed Vilma Avelar

Sworn to before me

this 29th day of July 2005

Lola M. Hall

Notary Public, Westchester County

LOLA M. HALL  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 01HA6112693  
QUALIFIED IN WESTCHESTER COUNTY  
TERM EXPIRES JULY 6, 2008

# Emily threatens northern Mexico with floods

Storm came ashore before dawn, packing winds of 125 mph

John Rice  
The Associated Press

SAN FERNANDO, Mexico — Hurricane Emily blasted north-east Mexico with powerful winds and rains yesterday, demolishing homes, triggering floods and forcing evacuations on both sides of the Mexican-U.S. border.

The week-old hurricane packing winds of 125 mph came ashore before dawn near San Fernando, about 75 miles south of the border, and spread destruction even as it steadily weakened to tropical storm strength by late in the day.

There were no immediate reports of deaths or injuries, but thousands of residents and tourists were ordered to evacuate homes and hotels along the Gulf of Mexico. In southern Texas, about 4,000 people fled to 14 shelters.

The storm was closing in on Monterrey, the country's third-largest city, and officials there set up shelters to prepare for flash flooding.

Last night, Emily had winds of 70 mph and was expected to slow to a tropical depression by later in the night, forecasters said.

Near San Fernando, one of the

hardest-hit areas was the fishing village of Carbonera, where many of those who had been evacuated returned to find their homes destroyed. Lakes caused by flood waters were everywhere.

"The hurricane finished us," said Javier Hernandez Galvin, a 45-year-old fisherman who, because of a shortage of clothing, was barefoot, wearing only pink shorts and an old blue T-shirt.

Galvin said his home survived the storm, but a shed where he stored his fishing equipment and boat had been reduced to scraps of wood.

Eugenio Hernandez, governor of Tamaulipas state, which includes San Fernando, said officials were still accessing damage. He said some people fled their homes last night because of a rain-swollen river.

Emily's landfall yesterday marked the second time in three days the storm hit Mexico. Last weekend, Emily drenched the south coast of Jamaica, killing four people and washing away at least three homes.

Officials in Mexico's Tamaulipas state, which borders Texas, said 18,000 people had been evacuated Tuesday from 20 seaside communities — including nearly everyone from the beachside community of Carbonera, a fishing hamlet that appeared to have taken a direct hit from the storm. Many small communities appar-

ently were cut off by the storm.

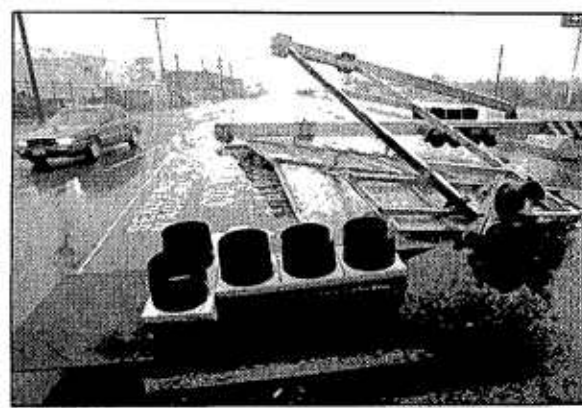
Carbonera was considered too unsafe for even emergency officials to remain behind, but at least 10 people waited out Emily without leaving town.

"I stayed to guard the little I had," said 55-year-old Cornelio San Martin, who said he sent the rest of his family to a shelter in San Fernando, but complained that officials there gave them nothing to eat.

Another who refused to leave was Jose Mario Lara, a 52-year-old fisherman who stayed with his family in a tin-roofed house.

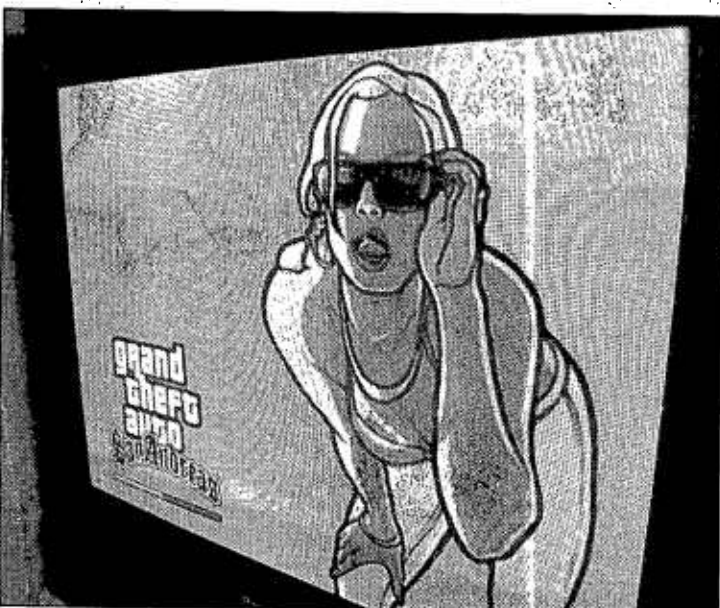
He said Emily was slightly less frightening than when Hurricane Gilbert tore through the area in 1988, which caused 300 deaths in Mexico and the Caribbean.

"Because of Gilbert, people did not resist" the evacuation orders, said City Councilor Laurencio Garcia.



Kevin Fujii/The Associated Press

Traffic lights and a street sign lie in the middle of a street in Matamoros, Mexico, yesterday as Hurricane Emily passes through the area.



Paul Sakuma/The Associated Press

This screen monitor shows an image from "Grand Theft Auto: San Andreas" as the video game boots up. The industry bowed to pressure yesterday and changed the rating for the sex-infused game.

## Grand Theft Auto game gets adult rating

Company admits building sex scenes into the retail version

Ron Harris  
The Associated Press

SAN FRANCISCO — The video game industry yesterday changed to adults-only the rating of "Grand Theft Auto: San Andreas," a best-selling game in which explicit sexual content can be unlocked with an Internet download.

The decision followed intense pressure from politicians and media watch groups, and retailers reacted swiftly — Wal-Mart Stores Inc., Target Corp. and Best Buy Co. said they would immediately pull all copies from their store shelves nationwide.

The game's producer, Rockstar Games, said it stopped making the current version and would provide new labels to any retailer willing to keep selling the games, which had been rated "M" for mature. The company also will offer a downloadable patch to fix the sex issue in PC versions, and is working on a new, more secure version, to be rated "M."

Rockstar's parent company, New York-based Take Two Interactive Software Inc., also admitted for the first time that the sex scenes had been built into the retail version of that game — not just the PC version but also those written for Xbox and PlayStation2 consoles.

Company officials had previously suggested that a modification created by outsiders added the scenes.

Take-Two spokesman Jim Ankner acknowledged in an Associated Press interview that the questioned scenes were created by Rockstar programmers. "The editing and finalization of any game is a complicated task, and it's not uncommon for unused and unfinished content to remain on the disc," he said.

In a statement, the president of the Entertainment Software Rating Board said the sex scenes were programmed by Rockstar "to be inaccessible to the player."

But ESRB chief Patricia Vance also acknowledged that the "credibility and utility" of the industry-run board's initial "M" rating had been "seriously undermined."

Many retailers sell "M" rated games, which "may be suitable for persons ages 17 and older", but won't sell "AO"-labeled games at all, according to the Entertainment Software Rating Board.

"Grand Theft Auto: San Andreas" was last year's top console game, selling more than 5.1 million copies in the U.S. after its October release, according to market analyst NPD Group. Xbox and PC versions were released last month.

Take-Two said net sales could drop by more than \$50 million this quarter, and lowered its financial expectations for the year to set aside funds for returns of the games.

## Heat in Phoenix kills 18

Beth DeFalco  
The Associated Press

PHOENIX — A record heat wave has led to the deaths of 18 people, most of them homeless, leaving officials scrambling to provide water and shelter to the city's transient population.

For the first time in years, homeless shelters opened their doors during the day to offer respite from the blistering sun, which has delivered above-average temperatures every day since June 29. Police began passing out thousands of water bottles donated by grocery stores, and city officials set up tents for shade downtown.

"I don't know why I'm not burnt to pieces," said Chris Cruise, 48, after taking refuge in a shelter.

Four more bodies were found yesterday. Fourteen of the victims were thought to be homeless. Authorities did not know if a man

found by the side of a road Sunday had a permanent residence.

The other three victims were elderly women, including one whose home cooling system was not on, police said.

"Most of us just run from air-conditioned box to air-conditioned box, so it's hard to imagine how omnipresent the heat really is for the homeless here," said Phoenix police Sgt. Randy Force.

In all of last year, the state Department of Health Services documented 34 heat-related deaths among Arizona residents. The number of illegal immigrants killed by heat-related illnesses while trying to cross the desert are counted separately.

The first deaths were reported Saturday. By yesterday, the high still climbed to 109 degrees. Even during the coolest part of the day, the mercury has failed to descend lower than 89 degrees.

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#### ADVERTISEMENT

#### STATE OF NEW YORK PUBLIC SERVICE COMMISSION July 6, 2005

#### NOTICE OF EDUCATIONAL FORUMS AND PUBLIC STATEMENT HEARINGS ON PROPOSALS OF VERIZON AND MCI TO MERGE AND OF SBC AND AT&T TO MERGE

The New York Public Service Commission will hold three educational forums and public statement hearings concerning the joint petition of Verizon Communications, Inc. and MCI, Inc. to merge and the joint petition of SBC Communications, Inc. and AT&T Corporation to merge. The Commission may approve the petitions, reject them, or impose conditions on or make modifications to the parties' proposals. To help guide its decision-making process, the Commission is seeking the views of the public.

The educational forums and public statement hearings will be held as follows:

##### Buffalo Area

Thursday, July 21, 2005  
Buffalo City Council Chambers  
Buffalo City Hall, Room 1417  
65 Niagara Square  
Buffalo, NY 14202  
Educational Forum: 12:00 noon – 1:00 P.M.  
Public Statement Hearing: Starting at 1:00 P.M.

##### New York City Area

Tuesday, July 26, 2005  
City University of New York (CUNY)  
Graduate Center, First floor  
Baisley Powell Elabash Recital Hall and Lobby  
365 Fifth Avenue (34th Street and Fifth Avenue)  
New York, NY 10016  
Educational Forum: 3:00 – 4:00 P.M.  
Public Statement Hearing: Starting at 4:00 P.M.

##### Albany Area

Thursday, July 28, 2005  
East Greenbush Turnpike  
225 Columbia Turnpike  
Rensselaer, NY 12144  
Educational Forum: 6:00 – 7:00 P.M.  
Public Statement Hearing: Starting at 7:00 P.M.

At each educational forum, Department of Public Service Staff will informally present and discuss the merger proposals and answer questions. Following each forum, the public will have an opportunity to make comments at a hearing before Elizabeth H. Liebschutz, the Administrative Law Judge assigned by the Commission to this case. A verbatim transcript of the hearing will be made for inclusion in the record of this proceeding.

It is not necessary to make an appointment in advance or to present written material in order to speak at the public statement hearings. Persons requesting time to speak will be asked to fill out a card and will be called in the order that the cards are handed in. The hearing will continue until everyone wishing to speak has been heard or other reasonable arrangements are made.

Disabled persons requiring special accommodations should contact the Department of Public Service's Human Resource Management Office at (518) 474-2520 as soon as possible.

**Other Ways of Commenting:** In addition to attending the hearing, or as an alternative to attendance, persons may mail comments to Jaclyn A. Brilling, Secretary, Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350. Your comments should refer to "Case 05-C-0237 – Verizon-MCI Merger" and/or "Case 05-C-0242 – SBC-AT&T Merger." Comments must be submitted no later than August 22, 2005.

**Toll-free Opinion Line:** You may call the Commission's Opinion Line at 1-800-335-2120. This number is set up to take comments about pending cases from in-state callers, 24 hours a day. Callers should select English or Spanish and press "2" to leave comments about the proposed mergers.

**The Internet:** You may also comment via the "PSC Comment Form" in the "Consumer Assistance" file accessed through the Commission's Web site at <http://www.dps.state.ny.us>, or via the "Contact Us" link at <http://www.AskPSC.com>. Many libraries offer free Internet access.

All statements and comments received by the Administrative Law Judge and the Commission through any of these methods will be placed in the public case file and be made available for public inspection in the Commission's file room. The joint Verizon-MCI petition and the joint SBC-AT&T petition can be viewed at the Commission's offices, Central Files, 14th Floor, Three Empire State Plaza, Albany, New York or online at <http://www.dps.state.ny.us/05C0237-0242.html>.

#### Description of the Proposed Mergers

##### Verizon-MCI

Under the proposed transaction, Verizon Communications, Inc., a holding company with many telephone operating company subsidiaries, will acquire the stock of MCI, Inc., which is also a holding company. Initially, MCI's telephone operating subsidiaries will thus become second-tier subsidiaries of Verizon Communications, Inc. Although the proposed transaction does not involve the merger of any assets or operations of any of Verizon's or MCI's regulated subsidiaries, such reorganizations could be made later and, petitioners assert, would be subject to any required regulatory approvals.

The proposed transaction does not call for any change in the rates, terms or conditions for the provision of any telecommunications services provided in New York. Such changes could be made thereafter and would be subject to any required regulatory approvals.

According to the joint petition filed by Verizon and MCI, benefits of the merger will result from the combination of Verizon's local and wireless networks with MCI's national, international, and Internet backbone networks. The petitioners contend that the merger will eliminate duplicative expenses and create operational efficiencies. They assert that Verizon and its MCI subsidiary will be stronger than either would be standing alone, resulting in greater levels of investment and employment than either would sustain without the merger.

##### SBC-AT&T

Under the proposed transaction, SBC Communications, Inc., a holding company with many telephone operating company subsidiaries, will acquire the stock of AT&T Corp., which is also a holding company. Initially, AT&T's telephone operating subsidiaries will thus become second-tier subsidiaries of SBC Communications, Inc. Although the proposed transaction does not involve the transfers of any assets or certificates of AT&T's regulated subsidiaries in New York, such transfers could be made later and would be subject to any required regulatory approvals at that time.

According to the petitioners, the transaction will accelerate capital investment in AT&T's facilities. They assert that, once the SBC and AT&T networks are combined as part of one organization, transport will be more efficient and reliability will increase. They claim benefits from making the technological innovations of AT&T Labs available to SBC's residential and small business customers. The petitioners assert that the combined companies will be stronger and better able to compete with other providers.

\*\*\*\*\*

These matters are being heard in:

Case 05-C-0237 - Joint Petition of Verizon Communications, Inc. and MCI, Inc. for a Declaratory Ruling Disclaiming Jurisdiction Over or in the Alternative, for Approval of Agreement and Plan of Merger and

Case 05-C-0242 - Joint Petition of SBC Communications, Inc. and AT&T Corp., Together With Its Certificated New York Subsidiaries, for Approval of Merger.

JACLYN A. BRILLING Secretary



# Counties, IBM get together to root out Medicaid cheats

Computers to be used to compare provider bills and procedures

Jay Gallagher  
Albany Bureau

ALBANY — While the state is taking steps to crack down on Medicaid fraud, counties have hooked up with IBM to increase their capacity to weed out those cheating the \$44.5 billion health-insurance program for poor people as well.

The counties plan to use a computer system to look at the types and numbers of procedures provided to recipients, and how much health-care providers are billing Medicaid for those procedures.

"The program will enable us to shine a light on the program that has been in the dark for too long," Chemung County Executive Tom Santulli, a long-time Medicaid critic, said in a statement.

The counties' action comes in the wake of an announcement by Gov. George Pataki earlier this week that he was setting up a Medicaid inspector general to try to better coordinate Medicaid fraud-fighting efforts, as well as taking other steps to curb abuse. He is expected to name the inspector general tomorrow.

His actions followed a disclosure in The New York Times that billions are potentially being siphoned out of the system, in part because the state Health Department hasn't been aggressive in fighting fraud. Also yesterday, the leader of the state Senate announced that a task force will hold

## County facts

- Proportion of total county\* expenditures spent on Medicaid in 1993: 13.5 percent;
  - Proportion of total county expenditures spent on Medicaid in 2003: 19.1 percent;
  - County Medicaid expense 1993: \$1.1 billion;
  - County Medicaid expense in 2003: \$2.3 billion.
- \* Excludes the five counties of New York City  
Source: State Comptroller Alan Hevesi

hearings on the issue.

"Medicaid fraud is a crime that hurts everyone," said Senate Majority Leader Joseph Bruno, R-Rensselaer County. "It is one of the reasons why property taxes are so high in this state, as local governments are strapped with unneeded bills and critical services are diverted away from people who desperately need health care."

Dates and locations for the hearings haven't been announced yet.

The counties are interested in cracking down on fraud because they are paying about \$6 billion for it this year, or about 16 percent of the total program. The federal government pays half and the state the rest. Complaints about the fast rising cost and the resulting steep hikes in county property and sales taxes helped convince the state to cap the counties' increase in Medicaid expenses, starting next year at 3.5 percent.

There is not yet a cost estimate for the fraud-fighting program,

said Mark Lavigne, state Association of Counties spokesman.

"It depends on how much data a county wants to analyze," he said, adding he suspects some counties will want to do extensive analysis.

"Counties up until now have had the data, which they provide to the state Health Department, but haven't had the tools to mine the data," he said. "Now, they will."

The data will be turned over to the state Health Department for investigating, something critics have said they don't do enough of.

But earlier this week Pataki said the department saved taxpayers more than \$9 billion between 1999 and 2004 through anti-fraud activities, by withholding payments from questionable vendors and other actions.

At least some, however, got through the cracks. A doctor in St. Lawrence County who over a period of two years wrote \$420,000 worth of Medicaid prescriptions for two painkillers, all for just 12 people, was arrested in May.

The alleged scam was uncovered not by the state Health Department, but by federal Drug Enforcement Agency agents and the county district attorney, said Sen. Raymond Meier, R-Oneida County. Meier is co-chairman of the Senate task force that plans to hold the Medicaid-fraud hearings and has been critical of the Health Department for not doing more to fight fraud.

"Regrettably, this is typical of New York," he said. "We don't manage problems, we respond to crises. This (Medicaid fraud) is a crisis."

# N.J. troopers giving out more tickets

The Associated Press

NEWARK, N.J. — Drivers on the Garden State Parkway and the New Jersey Turnpike should lighten up on their gas pedals.

State troopers on those two highways issued 45,930 traffic tickets between March and May, a 50 percent increase over the previous three months. It was the most tickets that troopers have handed out over the same amount of time in the last three years.

Officials say the reason for the

increase is the additional 66 troopers who have been hired over the last year to cover the Parkway and the Turnpike.

The executive director of the New Jersey Turnpike Authority, Michael Lapolla, said the new hires replace state troopers who had been pulled away, especially after Sept. 11, to cover other areas, and troopers who had retired.

Tickets for just about every traffic violation have increased.

For example, troopers issued 130 tickets on the turnpike in May

for improper use of the high-occupancy lane, compared with just 17 in May of the year before. Speeding tickets on the parkway jumped by 30 percent in May compared with the same month in 2004.

The only statistic that didn't change dramatically was the number of accidents on the two highways. Between March and May, there were 3,717 reported crashes on the turnpike and parkway, a drop of just 99 compared to the previous three-month period.



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## Briefing

### CAIRO, EGYPT Saudi envoy to U.S. resigns

Saudi Arabia's bon vivant ambassador to the United States announced yesterday he was stepping down, ending more than two decades of unusual Oval Office access — including huddling with presidents at moments of crisis and even once looking over battle plans. Dean of the diplomatic corps in Washington, the 56-year-old Prince Bandar bin Sultan showed time and time again that he was more than an ordinary ambassador. A close friend of the first President Bush, Bandar was at the White House during the 1991 Gulf War, after the Sept. 11, 2001, terror attacks and during the 2003 U.S.-led invasion of Iraq. Ahead of the invasion, Bandar was even called in by the current President Bush to view the attack plans. The Saudi Foreign Ministry said Bandar was stepping down for "personal reasons."

### CAPE CANAVERAL, FLA. NASA aims to launch Discovery on Tuesday

NASA will try to launch Discovery on the first shuttle mission in more than two years next Tuesday, after tracing last week's fuel gauge failure to, most likely, an electrical grounding problem lurking inside the spacecraft. Shuttle program manager Bill Parsons said the only way to thoroughly check the system is to fuel Discovery and have all its equipment running. In what would be an almost certainly controversial move in the wake of the 2003 Columbia tragedy, NASA may also proceed with the liftoff if the fuel gauge problem recurs but is considered well understood. That would mean revoking a launch rule requiring all four hydrogen fuel gauges at the bottom of Discovery's external tank to be working properly, and instead relying on just three out of four.

### JERUSALEM



Baz Ratner/The Associated Press  
An Israeli soldier adds rolls of barbed wire yesterday along a fence holding back supporters of Israel's settlement movement in Kfar Maimon in southern Israel.

### Pullout foes admit defeat, end march

Opponents of Israel's pullout from the Gaza Strip abandoned their efforts to stage a thousands-strong protest march in support of Jewish settlers late yesterday. As the demonstrators headed home, the anti-pullout movement appeared increasingly chaotic with the withdrawal less than a month away. About midnight, at the end of a third hot day of fruitless negotiations with police and the military, organizers told the marchers that buses were waiting to take them home, marking an end of the demonstration. The protesters were seeking to block the abandonment of 21 settlements in the Gaza strip and removal of 8,500 settlers.

### DAR ES SALAAM, TANZANIA

#### Clinton helps launch AIDS care program

Former President Clinton and Tanzania's President Benjamin Mkapa launched a program yesterday to expand HIV/AIDS treatment in rural areas by training health workers. At least 30 medical workers will receive advance training each year and will go to remote areas that traditionally lacked health services under the initiative, called the Benjamin William Mkapa National HIV/AIDS Fellows Program.

### TBILISI, GEORGIA

#### Police detain suspect in grenade throwing

Georgian police yesterday detained a man suspected of throwing a live grenade during a rally at which President Bush spoke in May, the Interior Ministry said. The capture came after a shootout in which one officer was killed and another wounded. The shootout and detention occurred yesterday evening in the village of Vashlisdzhvari, outside the capital, Tbilisi, ministry spokesman Guram Donadze told The Associated Press. The suspect fled into the woods but was later detained, Donadze said.

Compiled from wire reports.

# Canada officially legalizes same-sex marriage nationwide

## In extending rights, nation joins Spain, Netherlands, Belgium

Rob Gillies  
The Associated Press

TORONTO — Canada legalized gay marriage yesterday, becoming the world's fourth nation to grant full legal rights to same-sex couples.

Supreme Court Chief Justice Beverley McLachlin signed the legislation making it law, hours after it was approved by the Senate

late Tuesday night, despite strong opposition from Conservatives and religious leaders.

The bill gives homosexual couples the same rights as those in traditional unions between a man and a woman, something already legal in eight of Canada's 10 provinces and in two of its three territories.

The legislation drafted by Prime Minister Paul Martin's minority Liberal Party government easily passed the Senate, which essentially rubber stamps any bill already passed by the House of Commons, which passed it late last month.

The Netherlands, Belgium and

Spain are the only other nations that allow gay marriage nationwide.

The law comes after years of court battles and debate that divided families, religious groups and even political allies. The Roman Catholic Church, the predominant Christian denomination in Canada, has vigorously opposed the legislation.

But Martin, a Roman Catholic, has said that despite anyone's personal beliefs, all Canadians should be granted the same rights to marriage.

Alex Munter, national spokesman for Canadians for Equal Mar-

riage, which has led the debate in favor of the law, was triumphant yesterday: "It is a signal to the world that Canada is an open and inclusive society that believes in the notion of full citizenship for all."

Churches have expressed concern that their clergy would be compelled to perform same sex ceremonies. The legislation, however, states that the bill covers only civil unions, not religious ones, and no clergy would be forced to perform same-sex ceremonies if they did not choose to do so.

Charles McVety, a spokesman for Defend Marriage Canada and president of Canada Christian Col-

lege, said he was "very sad that the state has invaded the church, breached separation of church and state and redefined a religious word."

McVety vowed his group would work to vote out lawmakers who supported the legislation in the next general elections.

"A new Parliament is going to readdress this issue, and common sense ultimately will prevail," McVety said.

In the United States, Massachusetts is the only state that allows gay marriages; Vermont and Connecticut have approved same-sex civil unions.



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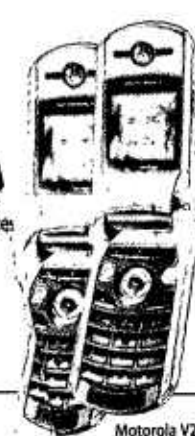
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# Roberts built arguments across political spectrum

Stephen Henderson  
Knight Ridder Newspapers

WASHINGTON — As one of Washington's top appellate lawyers, Supreme Court nominee John Roberts represented big business against employee claims, coal companies against polluted communities, and contractors seeking an end to government race preference programs.

But Roberts also defended a town's right to prevent development on private property, fought for indigenous people's rights to self-determination, and — for free — helped welfare recipients who feared losing their benefits.

Viewed through a political prism, Roberts record seems to lack any particular ideological bent. So what, if anything, are Americans likely to infer from Roberts' legal career about his views, in advance of the fight over his nomination to the Supreme Court?

One court watcher puts it simply: "The answer is both too much, and too little," said George LaNoue, a political science professor at the University of Maryland, Baltimore County, who once worked on a case that Roberts was handling.

"Of course, an organization looking for an appellate lawyer is going to choose someone who will both understand the case and be sympathetic to their side, so that tells you something. But you can't attribute every sentence from the arguments in a given case to the lawyer who handled it, because they're ultimately just representing their client. It's the client's position, not theirs, that they're advocating."

But Roberts' choice to represent clients of many political stripes does shed light on his approach to the law — and paints him in stark contrast to some of the other justices already on the high court.

Justice Antonin Scalia, for example, spent most of his legal career as a law professor and government lawyer whose prolific writing and speeches helped guild the modern conservative legal establishment. Justice Ruth Bader Ginsburg spent much of her career as the nation's leading legal advocate on women's issues.

Their work was steeped in their ideologies, and highly reflective of their views of how the constitution ought to be interpreted.

But as a hired advocate, Roberts has mastered building arguments on all sides of the political spectrum and avoids easy labeling.

"He's very much a lawyer's lawyer," said Barbara McDowell, director of the appellate practice at the Legal Aid Society in Washington, who has worked on two cases in which Roberts was involved, once on the same side and once in opposition.

"He is very practical-minded. This work requires mastering a lot of detail, and searching for the common-sense approach to things."

In that way, McDowell said, he is like the person he would replace in the court, Sandra Day O'Connor.

"It's not unlike the approach she took to cases on the bench," McDowell said.

Any examination of Roberts' work as an advocate has to begin with his stunning numerical achievements.

He argued 39 cases before the Supreme Court, winning 25. There aren't many other advocates in Washington who can claim a similar record, either by volume or success. Some court watchers call Roberts, 50th premier appellate attorney of his generation.

His reputation is undoubtedly as a conservative advocate, though, and that is reflected in the bulk of the cases he handled while at Hogan & Hartson LLP, a high-powered law firm with lawyers across the political spectrum.

Roberts represented the American General Contractors, writing briefs for the organization that pushed for an end to affirmative action programs in two cases involving the Department of Transportation and Department of Defense. Roberts represented coal companies fighting to avoid paying retirement benefits to employees and seeking to avoid expensive reclamation projects in communities where they mine.

He represented Toyota Motor Manufacturing when it sought to deny that the Americans with Disabilities Act required it to accommodate a worker who had developed carpal tunnel syndrome.

But Roberts also took cases that required him to advocate positions inconsistent with conservative views of the Constitution.

In 2000, Roberts represented a native Hawaiian group before the Supreme Court seeking to exclude other ethnic groups from voting for trustees of an agency that oversees programs for those of Hawaiian ancestry. On the other side were conservative legal icon Robert Bork and Theodore Olson, who would go on to serve as President Bush's chief legal ad-

vocate at the high court.

The court ruled against Roberts' clients, with the liberal bloc of justices dissenting.

In a 2002 case that decided whether a planning agency in the Lake Tahoe Basin could prevent development on private land without it being considered a property "taking" for constitutional purposes, Roberts represented the side that conservatives opposed. He

convinced the court to side with him — while conservative Justices Scalia and Clarence Thomas and Chief Justice William Rehnquist dissented. Roberts' involvement in such cases is explained most simply by his job description: Lawyers take clients who hire them. And they have an ethical duty to represent those clients to the best of their ability, no matter their personal views.

## On the issues

Some of John Roberts' stands on issues that come before the Supreme Court:

**ABORTION:** As a lawyer in the administration of President Bush's father, he helped write a Supreme Court brief that said, "We continue to believe that Roe (v. Wade) was wrongly decided and should be overruled." But he later said that "Roe v. Wade is the settled law of the land."

**RELIGION:** Roberts unsuccessfully urged the Supreme Court to

rule that public schools could sponsor prayer at graduation ceremonies. "We do not believe ... that graduation ceremonies pose a risk of coercion," said the brief Roberts helped to write on behalf of the first Bush administration.

**ENVIRONMENT:** As a judge, he was sympathetic to arguments that wildlife regulations were unconstitutional as applied to a California construction project. The government feared the project would hurt arroyo toads.

**CRIMINAL MATTERS:** His votes on the bench have been mixed. He ruled in favor of a man who challenged his sentence for

fraud, then said police did not violate the constitutional rights of a 12-year-old girl who was arrested, handcuffed and detained for eating a single french fry inside a D.C. train station.

**POLICE SEARCHES:** Joined an appeals court ruling in 2004 that upheld police trunk searches, even if officers do not say they are looking for evidence of a crime.

**MILITARY TRIBUNALS:** Roberts was part of a unanimous decision last week that allowed the Pentagon to proceed with plans to use military tribunals to try terrorism suspects held at Guantanamo Bay.



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WEEK OF JULY 17: NY, NJ, CT SHOP SUN 11-7 MON-SAT 10-9:30. SUN 11-6 AT MENLO PARK, ROCKAWAY, WATERFORD, OCEAN COUNTY, STATEN ISLAND, HAMILTON AND EAST BRUNSWICK. STAMFORD SAT 10-8. SHORT HILLS SUN 11-6 SAT 10-9. VALLEY STREAM SUN 11-7 MON-SAT 10-10. QUEENS SUN 11-9 MON-SAT 10-10:30. FLUSHING SUN 11-8 MON-FRI 10-10 SAT 10-9. FREEHOLD FRI 10-10. LIVINGSTON SUN 11-6 MON-FRI 10-9 SAT 10-9:30. LEDGEWOOD, MIDDLESEX, PREAKNESS & WEST ORANGE SUN 11-6 MON-WED 10-9. HERALD SQ. SUN 11-6 MON-SAT 10-9. BROCKTON SUN 12-2 MON-SAT 10-8. HAMPTON BAYS SUN 11-6 MON-WED 10-7 THURS-SAT 10-9. PARKCHESTER SUN 11-7 MON-WED 10-8 THURS-FRI 10-9 SAT 10-8. CHRISTIANA, CHERRY HILL & QUAKERBRIDGE FRI-SAT 10-10. HOURS VARY AT FURNITURE STORES. BERGEN COUNTY STORES CLOSED SUNDAYS. BERGEN & PARAMUS MON-FRI 10-9 SAT 10-9:30. PA, VA, MD, DE SHOP SUN 11-7 MON-THURS 10-9:30 FRI-SAT 10-10. TYSON'S CORNER SUN 11-7 MON-SAT 10-9:30. FAIR OAKS FRI 10-10 SAT 10-9:30. OWINGS MILLS, SPRINGFIELD PA, SPRINGFIELD VA & WHITE MARSH SUN 11-6 MON-FRI 10-9 SAT 10-9:30. PENTAGON MON-SAT 10-9:30. NEW ENG. SHOP SUN 11-7 MON-SAT 10-9:30. ALBANY & COLONIE SUN 11-6. BOSTON SUN 11-8 MON-SAT 9:30-9. BROCKTON SUN 11-6. BEDFORD & SWANSEA SUN 11-6 MON-SAT 10-9. NASHUA, NEWINGTON, SALEM & WATERFORD SUN 11-6. PEABODY, BRAINTREE, BURLINGTON AND NATICK MON-SAT 10-10. WARWICK SUN 12-6 MON-SAT 10-10. HYANNIS SUN 11-6 MON-SAT 9:30-9. SOUTH PORTLAND SUN 11-6 MON-SAT 9:30-9. LA ESPLANADE SUN 12-6 MON-SAT 10-9. NEW ORLEANS CENTRE SUN 12-6 MON-SAT 10-8.



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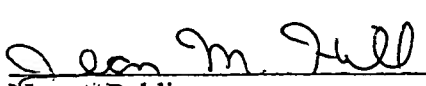
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## Supreme Court nomination process

Confirmation hearings before the Senate Judiciary Committee are expected to begin in late August or early September, Republicans said, with an eye toward getting Bush's nominee confirmed before the Supreme Court opens its fall term Oct. 3. The hearings are not likely to last more than a week.

Sources: www.supremecourtwatch.org; Associated Press



President selects nominee.



Nominee completes paperwork regarding finances and personal background.



FBI investigates nominee for a criminal history.



Nomination is sent to Senate Judiciary Committee. Eighteen senators interview nominee about past cases. Witnesses are interviewed.



Senate Judiciary Committee votes.



Nominee is reviewed by full Senate. A controversial nominee could force a showdown over the use of a filibuster to block a confirmation vote.

4

51 votes confirms the nominee. Breaking a filibuster requires 60 votes.

GNS: TIMES UNION



## Issues at stake

The Supreme Court returns to work Oct. 3 and will immediately confront some high-profile cases, among them:

**ABORTION:** The constitutionality of a New Hampshire parental notification law that lacks an emergency health exception for minors. Justices could use the case to make it harder for opponents to challenge abortion restrictions.

### PHYSICIAN-ASSISTED SUICIDE:

The Bush administration's challenge to Oregon's law allowing physician-assisted suicide.

**DEATH PENALTY:** Four capital punishment cases, including one that will determine when prisoners can use DNA evidence to get a new trial.

### DON'T ASK, DON'T TELL:

A test of a law that requires colleges that get federal funding to allow military recruiters to recruit on campus. Law schools want to be exempt as a way of protesting the Pentagon's "don't ask, don't tell" policy excluding openly gay people from military service.

### RELIGIOUS FREEDOM:

The Bush administration's appeal involving a church's use of hallucinogenic tea in its religious services. The government contends the tea is illegal and potentially dangerous.

### POLICE SEARCHES:

Whether police may search a home when one occupant consents but another does not, without violating the Fourth Amendment ban against unreasonable searches and seizures.

Source: Associated Press

## Reactions

“Roberts’ rules based on the application of existing laws and specific facts of the cases before him, rather than making new laws or creating new policies based on personal opinion.”

SEAN RUSHTON, DIRECTOR OF THE CONSERVATIVE COMMITTEE FOR JUSTICE



“I look forward to the committee’s findings so that I can make an informed decision about whether Judge Roberts is truly a guardian of the rule of law who puts fairness and justice before ideology.”

▲ SEN. HILLARY RODHAM CLINTON, D-N.Y.

“We are extremely disappointed that President Bush has chosen such a divisive nominee for the highest court in the nation, rather than a consensus nominee who would protect individual liberty and uphold *Roe v. Wade*.”

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“He’s the kind of judge that all of us want — someone committed to applying the law impartially rather than legislating from the bench.”

▲ SEN. ORRIN HATCH, R-UTAH

“The burden is on a nominee to prove that he is worthy, not on the Senate to prove he is unworthy.”

SEN. CHARLES SCHUMER, D-N.Y.

“I’m hopeful that in the coming weeks we can avoid vicious character assassinations and attacks in this confirmation process.”

SEN. GEORGE ALLEN, R-VA.

TIMES UNION

# COURT: Bush nominates federal jurist to fill high court seat

▼ CONTINUED FROM A1  
good heart.”

Roberts, who worked summers in an Indiana steel mill to help pay for law school, said his experience arguing cases before the Supreme Court gave him “a deep regard for the court as an institution,” adding: “I always got a lump in my throat whenever I walked up those marble steps to argue a case before the court.”

Roberts was joined at the ceremony by his wife, Jane.

Bush noted that Roberts won Senate confirmation in 2003 for his current post on the U.S. Court of Appeals for the D.C. Circuit.

Sen. Harry Reid, D-Nev., leader of the 45 Democrats in the Senate, reserved judgment, saying only that Bush had chosen a nominee “with suitable legal credentials, but that is not the end of our inquiry.” Reid added: “The Senate must review Judge Roberts’ record to determine if he has a demonstrated commitment to the core American values of freedom, equality and fairness.”

Sen. Charles Schumer, D-N.Y., the ranking Democrat on the Senate Judiciary Committee panel that handles the courts, cautioned Roberts that “the burden is on a nominee to the Supreme Court to prove that he is worthy” during Senate confirmation proceedings.

Schumer said Roberts “didn’t answer questions fully and openly when he appeared before the committee” en route to Senate confirmation for his current post and it was now more important that Roberts detail his legal views, “particularly when replacing a swing vote”



SEN. CHARLES SCHUMER, D-N.Y., right, and Sen. Patrick Leahy, D-Vt., watch as President Bush nominates John G. Roberts for the Supreme Court. Schumer cautioned that Roberts “didn’t answer questions fully and openly” during confirmation hearings for his federal appeals court post.

— O’Connor — on the high court.

Initial reaction from Republicans was strongly favorable. Sen. Jeff Sessions of Alabama called him a “fabulous nominee” and predicted that if confirmed, he would “bring a nonpolitical approach to judging.”

Sen. Rick Santorum, R-Pa., a leading conservative, called him “brilliant.”

Roberts built a reputation as a reliable conservative during earlier

assignments with Republican administrations, serving in the Justice Department of President George H.W. Bush as deputy solicitor general under then Solicitor General Kenneth Starr.

Roberts got an early taste of the Supreme Court, serving as a clerk early in his career for Justice William H. Rehnquist before Rehnquist was promoted to chief justice by President Reagan in 1986.

Bush’s selection was sweet reward for Roberts who had seen two earlier judicial nominations for the appeals court die twice — in 1992 and again in 2001.

Roberts was expected to encounter stiff questioning by Senate Democrats for a brief he co-wrote in 1990 suggesting that the Supreme Court overturn the landmark 1973 case upholding a woman’s right to an abortion known as *Roe vs. Wade*.

“The court’s conclusion in *Roe* that there is a fundamental right to an abortion ... finds no support in the text, structure or history of the Constitution,” said the brief co-authored by Roberts.

Roberts explained at his Senate Judiciary Committee confirmation

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## STATE OF NEW YORK PUBLIC SERVICE COMMISSION

July 6, 2005  
NOTICE OF EDUCATIONAL FORUMS AND PUBLIC STATEMENT  
HEARINGS ON PROPOSALS OF VERIZON AND MCI TO MERGE  
AND OF SBC AND AT&T TO MERGE

The New York Public Service Commission will hold three educational forums and public statement hearings concerning the joint petition of Verizon Communications, Inc. and MCI, Inc. to merge and the joint petition of SBC Communications, Inc. and AT&T Corporation to merge. The Commission may approve the petitions, reject them, or impose conditions on or make modifications to the parties' proposals. To help guide its decision-making process, the Commission is seeking the views of the public.

The educational forums and public statement hearings will be held as follows:

**Buffalo Area**  
Thursday, July 21, 2005  
Buffalo City Council Chambers  
Buffalo City Hall, Room 1417  
65 Niagara Square  
Buffalo, NY 14202  
Educational Forum: 12:00 noon - 1:00 P.M.  
Public Statement Hearing: Starting at 1:00 P.M.

**New York City Area**  
Tuesday, July 26, 2005  
City University of New York (CUNY) Graduate Center  
First Floor - Baisley Powell Elabash Recital Hall and Lobby  
365 Fifth Avenue (34th Street and Fifth Avenue)  
New York, NY 10016  
Educational Forum: 3:00 - 4:00 P.M.  
Public Statement Hearing: Starting at 4:00 P.M.

**Albany Area**  
Thursday, July 28, 2005  
East Greenbush Town Hall  
225 Columbia Turnpike  
Rensselaer, NY 12144  
Educational Forum: 6:00 - 7:00 P.M.  
Public Statement Hearing: Starting at 7:00 P.M.

At each educational forum, Department of Public Service Staff will informally present and discuss the merger proposals and answer questions. Following each forum, the public will have an opportunity to make comments at a hearing before Elizabeth H. Liebschutz, the Administrative Law Judge assigned by the Commission to this case. A verbatim transcript of the hearing will be made for inclusion in the record of this proceeding. It is not necessary to make an appointment in advance or to present written material in order to speak at the public statement hearings. Persons requesting time to speak will be asked to fill out a card and will be called in the order that the cards are handed in. The hearing will continue until everyone wishing to speak has been heard or other reasonable arrangements are made. Disabled persons requiring special accommodations should contact the Department of Public Service's Human Resource Management Office at (518) 474-2520 as soon as possible.

### Other Ways of Commenting

In addition to attending the hearing, or as an alternative to attendance, persons may mail comments to Jaclyn A. Brillling, Secretary, Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350. Your comments should refer to "Case 05-C-0237 - Verizon-MCI Merger" and/or "Case 05-C-0242 - SBC-AT&T Merger." Comments must be submitted no later than August 22, 2005.

Toll-free Opinion Line: You may call the Commission's Opinion Line at 1-800-335-2120. This number is set up to take comments about pending cases from in-state callers, 24 hours a day. Callers should select English or Spanish and press "2" to leave comments about the proposed mergers.

The Internet: You may also comment via the "PSC Comment Form" in the "Consumer Assistance" file accessed through the Commission's Web site at <http://www.dps.state.ny.us>, or via the "Contact Us" link at <http://www.AskPSC.com>. Many libraries offer free Internet access.

All statements and comments received by the Administrative Law Judge and the Commission through any of these methods will be placed in the public case file and be made available for public inspection in the Commission's file room. The joint Verizon-MCI petition and the joint SBC-AT&T petition can be viewed at the Commission's offices, Central Files, 14th Floor, Three Empire State Plaza, Albany, New York or online at <http://www.dps.state.ny.us/05C0237-0242.html>.

### Description of the Proposed Mergers

#### Verizon-MCI

Under the proposed transaction, Verizon Communications, Inc., a holding company with many telephone operating company subsidiaries, will acquire the stock of MCI, Inc., which is also a holding company. Initially, MCI's telephone operating subsidiaries will thus become second-tier subsidiaries of Verizon Communications, Inc. Although the proposed transaction does not involve the merger of any assets or operations of any of Verizon's or MCI's regulated subsidiaries, such reorganizations could be made later and, petitioners assert, would be subject to any required regulatory approvals.

The proposed transaction does not call for any change in the rates, terms or conditions for the provision of any telecommunications services provided in New York. Such changes could be made thereafter and would be subject to any required regulatory approvals. According to the joint petition filed by Verizon and MCI, benefits of the merger will result from the combination of Verizon's local and wireless networks with MCI's national, international, and Internet backbone networks. The petitioners contend that the merger will eliminate duplicative expenses and create operational efficiencies. They assert that Verizon and its MCI subsidiary will be stronger than either would be standing alone, resulting in greater levels of investment and employment than either would sustain without the merger.

#### SBC-AT&T

Under the proposed transaction, SBC Communications, Inc., a holding company with many telephone operating company subsidiaries, will acquire the stock of AT&T Corp., which is also a holding company. Initially, AT&T's telephone operating subsidiaries will thus become second-tier subsidiaries of SBC Communications, Inc. Although the proposed transaction does not involve the merger of any assets or operations of any of Verizon's or MCI's regulated subsidiaries, such reorganizations could be made later and would be subject to any required regulatory approvals at that time.

According to the petitioners, the transaction will accelerate capital investment in AT&T's facilities. They assert that, once the SBC and AT&T networks are combined as part of one organization, transport will be more efficient and reliability will increase. They claim benefits from making the technological innovations of AT&T Labs available to SBC's residential and small business customers. The petitioners assert that the combined companies will be stronger and better able to compete with other providers.

These matters are being heard in:

\* Case 05-C-0237 - Joint Petition of Verizon Communications, Inc. and MCI, Inc. for a Declaratory Ruling Disclaiming Jurisdiction Over or, in the Alternative, for Approval of Agreement and Plan of Merger and

\* Case 05-C-0242 - Joint Petition of SBC Communications, Inc. and AT&T Corp., Together With Its Certificated New York Subsidiaries, for Approval of Merger.

JACLYN A. BRILLING  
Secretary  
CASES 05-C-0237 & 05-C-0242

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PUBLIC SERVICE COMMISSIONJuly 6, 2005  
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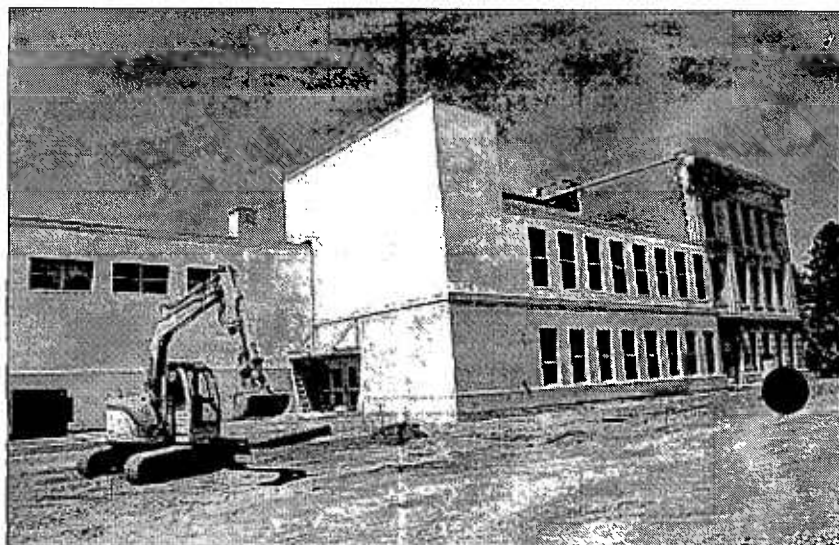
**SBC-AT&T**  
Under the proposed transaction, SBC Communications, Inc., a holding company with many telephone operating company subsidiaries, will acquire the stock of AT&T Corp., which is also a holding company. Initially, AT&T's telephone operating subsidiaries will thus become second-tier subsidiaries of SBC Communications, Inc. Although the proposed transaction does not involve the transfers of any assets or certificates of AT&T's regulated subsidiaries in New York, such transfers could be made later and would be subject to any required regulatory approvals at that time. According to the petitioners, the transaction will accelerate capital investment in AT&T's facilities. They claim that, once the SBC and AT&T networks are combined as part of one organization, transport will be more efficient and reliability will increase. They claim benefits from making the technological innovations of AT&T Labs available in SBC's residential and small business customers. The petitioners assert that the combined companies will be stronger and better able to compete with other providers.

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JACLYN A. BRILLING  
Secretary  
CASES 05-C-0237 & 05-C-0242



CINDY SCHULTZ/TIMES UNION

SCHOOL 27 on Western Avenue has a new wing and also will have a new name: Eagle Point Elementary.

## New school awaits a name

Board ponders several options for Kelton Court while agreeing on monikers for renovated School 20, 27 buildings

By RICK KARLIN  
Staff writer

ALBANY — What's in a name? A school by any other name should be just as educational as the next one, but the city school board is taking its time in bestowing a moniker on at least one of its new buildings, on Kelton Court.

So far, the board has agreed to name two newly renovated buildings, School 20, which will be North Albany Academy; and School 27, which will be Eagle Point Elementary School.

But there are still a number of options for the middle school on Kelton Court, including a few that hark back to the city's role in the abolitionist movement.

The names North Albany Academy and Eagle Point were recently approved by the school board, and both have straightforward geographic references.

School 20, at 570 N. Pearl St., is

in the heart of the neighborhood known as North Albany. The school is being renovated and expanded into a K-8 facility, and it will be attached to a large community and recreation center built with the city Housing Authority and YMCA.

When School 27 reopens as Eagle Point Elementary, the K-5 school at 1044 Western Ave. will be 30,500 square feet larger, with expanded classrooms and modern gym and cafeteria facilities.

There may not be any eagles gliding overhead, but the name references the spot as one of the highest in the city.

The term "Point," however, might involve some poetic license.

Assemblyman Jack McEneny noted that the area has long been known as Eagle Hill. "There's no 'point' there," said the historian and Democratic lawmaker. "Eagle Hill would be correct."

As for the Kelton Court middle school, several possibilities have been mentioned, but one of the earliest suggestions — that it be named for Henry Johnson, an African-American World War I hero — appears to be fading now that a charter school is already claiming that name.

The state earlier approved the

Henry Johnson Elementary Charter School for a 2006 opening.

While members of the naming committees for these schools have been shying away from using the names of individuals, at least one school board member believes it would be fitting to name one of the facilities after a prominent African-American.

Noting that Hackett and Livingston middle schools were named for white historical figures, "It would only be right that the third middle school would be named after an African-American," said board member Ed Brown.

One of his suggestions is to name the school for Stephen Myers, a freed slave who lived in Albany and published *The Northern Star* and *Freeman's Advocate*, a leading abolitionist newspaper before the Civil War.

Others have suggested simply the Northern Star Middle School, but Brown feels that something like the Stephen Myers Academy of Excellence could work as well. "That would be educational and it would be relevant," he said.

► Rick Karlin can be reached at 454-5758 or by e-mail at [rkarkin@timesunion.com](mailto:rkarkin@timesunion.com).

## Motorcyclist dies in collision

COHOES — A 44-year-old Saratoga Springs man was killed Tuesday when his motorcycle struck the back of a car that apparently stopped quickly because of a dog.

Richard Cotton Jr. was thrown off his motorcycle on North

Mohawk Street and into a minivan that was coming the opposite direction, according to city police.

Cotton was pronounced dead at the scene of the incident near the intersection with Conboy Avenue.

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Insertion Number:  
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R. Willett of the City of Troy, in the county of Rensselaer and State of New York, being duly sworn, deposes and says that she is the Principal Clerk of the **Troy Publishing Company**, a Corporation duly organized under the laws of the State of New York; that said Corporation is the publisher of **The RECORD**, a daily newspaper printed and published in the City of Troy and County of Rensselaer, and that the notice of which the annexed is a printed copy, has been regularly published in **The RECORD**.

ONCE DAILY for ONE DAY

to wit: on the 22<sup>nd</sup> day of July, 2005

Sworn before me, this

22<sup>nd</sup> day of July 2005 }

Debra A. Beck

Notary Public

DEBRA A. BECK

Notary Public, State of New York

01BE607222

Qualified in Columbia County

Commission Expires April 01, 20 06



# Hillary, Newt become tight on health care issues

By Devlin Barrett  
The Associated Press

WASHINGTON — What a difference a few years make?

Democrat Hillary Rodham Clinton, the face of the relatively new Clinton administration's attempt to push a health care policy overhaul in the early 1990s, found Newt Gingrich, a Georgia Republican in the House at the time, as her adamant foe.

But there, standing together Thursday, were Clinton and Gingrich. Now a U.S. senator from New York, she joined Gingrich, an ex-House speaker and leader of the GOP's 1994 "Contract With America," to push an array of health care reforms they said should be adopted by the government and private insurers.

Clinton and Gingrich said they want to put partisanship aside to pull together

a bipartisan coalition for cost-saving and lifesaving health care legislation.

"My hope and sense is, we may be at the end of a year cycle of bitterness," said Gingrich, who led the successful 1994 Republican effort to take control of the House.

The political couple first spoke out publicly together in May in calling for legislation to modernize health records databases that

could be accessed quickly in an emergency. Since that eyebrow-raising effort, the pair has found some other areas of agreement on health care, an issue that has traditionally driven Republicans and Democrats far apart.

"We have the same instinct, that, you know, I've spent enough of my life fighting and it would be nice to spend some time constructing and I think there's a feeling in the country that's

very similar," Gingrich said at a "Ceasefire on Health Care" event sponsored by the drug company Pfizer Inc. and American University.

Gingrich said he now supports a key proposal that Mrs. Clinton had offered more than a decade ago, when she proposed creating a single system for medical billing so that all insurers and providers would be able to use similar procedures and save time.

## 50 Guantanamo prisoners engaging in hunger strike

By John Lumpkin  
The Associated Press

WASHINGTON — Some 50 prisoners at Guantanamo Bay have declared they are on a hunger strike, a Pentagon spokesman said Thursday.

They went on strike three days ago, spokesman Bryan Whitman said. Some have already begun eating again, he said.

The spokesman said he did not know why they went on strike and said the health of the striking detainees is being monitored.

The Pentagon's version of this incident contrasted somewhat from the accounts of two Afghans released from the facility for terrorist suspects earlier this week. On Wednesday, they claimed that

more than about 180 Afghans were on a hunger strike to protest alleged mistreatment at the facility at a U.S. military base in Cuba.

Habir Russol and Moheb Ullah Borekzai, who said they left the prison camp on Cuba on Monday and were flown to Afghanistan before being freed, said they did not participate in the hunger strike.

They did not say how they knew others were refusing to eat.

Russol said 180 Afghan prisoners "are not eating or drinking." He and Borekzai estimated the men were in the 14th or 15th day of their fast.

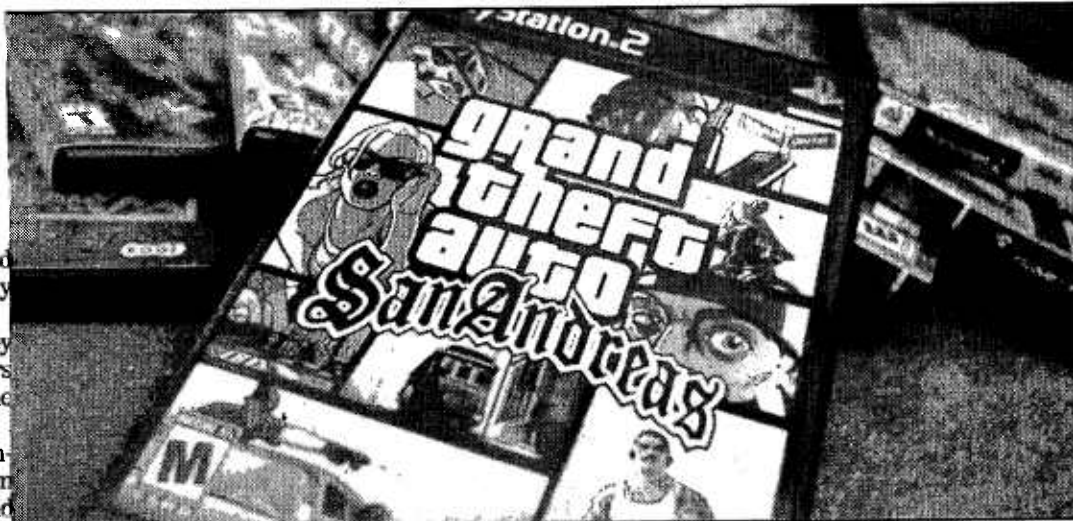
Borekzai later told The Associated Press the detainees were protesting because "some of these

people say they were mistreated during interrogation. Some say they are innocent."

"They are protesting that they have been in jail nearly four years and they want to be released," he said.

Neil Koslowe, a Washington-based lawyer for 12 detainees from Kuwait, said several inmates told him during a June 20-24 visit to Guantanamo that there was a "widespread" hunger strike over the amount and quality of their drinking water.

The two Afghans released this week said they had been accused of being members of the former Taliban regime, but both said they were innocent. Neither said how long they had been detained.



Associated Press photo

Grand Theft Auto: San Andreas, is shown with other video games at the home of Coleman Garrett in Palo Alto, Calif. The video game industry on Wednesday changed to adults-only the rating of "Grand Theft Auto: San Andreas," a best-selling title in which explicit sexual content can be unlocked with an Internet download.

## Crackdown on raunchy video games begins

By Ron Harris  
The Associated Press

SAN FRANCISCO — The video game industry's decision to give an adults-only rating to the best-selling "Grand Theft Auto: San Andreas" because of explicit sexual content could signal the start of a crackdown on raunchy games.

The rating change followed intense pressure from politicians and media watchdogs. Retailers reacted swiftly — Wal-Mart Stores Inc., Target Corp. and Best Buy Co. said Wednesday they would pull all copies from their store shelves nationwide.

Circuit City Stores Inc., the nation's No. 2 consumer electronics chain, joined the

list Thursday.

Rockstar Games, the producer of "Grand Theft Auto: San Andreas," said it has stopped making the current version of the game, which includes graphic sex scenes that can be unlocked with an Internet download. The game was released in October with an "M" rating, for players 17 and older.

Sen. Hilary Rodham Clinton, D-New York, applauded the change but said she was disturbed the sexual content appeared on store shelves in the first place. She asked the Federal Trade Commission to investigate and called on the Entertainment Software Rating Board to do more to police

game content.

"Apparently the sexual material was embedded in the game. The company admitted that," Clinton said. "The fact remains that the company gamed the ratings system."

Rep. Joe Baca, D-Calif., said this week the video game industry needs a good dose of government oversight and renewed a call for a law requiring the FTC to determine if the video game industry's labeling practices are unfair or deceptive.

"Grand Theft Auto: San Andreas" was last year's top console game, selling more than 5.1 million copies in the U.S., according to market analyst NPD Group.

## Lead levels dropping in Americans

By Daniel Yee  
The Associated Press

ATLANTA — Americans have lower levels of lead, secondhand-smoke byproducts and other potentially dangerous substances in their bodies than they did a decade ago, according to perhaps the most extensive government study ever of exposure to environmental chemicals.

"These data help relieve worry and concern," Dr. Julie Gerberding, director of the Centers for Disease Control

and Prevention, said Thursday. The CDC released its first National Report on Exposure to Environmental Chemicals in 2001 and has updated it every two years.

For its latest findings, the CDC took blood and urine samples from about 2,400 people in 2001 and 2002 and tested for 148 environmental chemicals, including metals, pesticides, insect repellants and disinfectants.

The CDC stressed that the presence of an environmental

chemical in blood or urine "does not mean that the chemical causes disease."

In the early 1990s, 4.4 percent of U.S. children ages 1 to 5 had elevated lead levels.

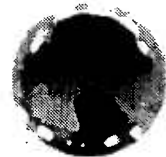
That dropped to 1.6 percent between 1999 and 2002, according to the latest study.

"This is an astonishing public health achievement" that is related to the removal of lead from gasoline and other efforts to screen and treat children for lead exposure, Gerberding said.

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## Child: Attacked by dog, impact uncertain

► Continued from A1

On Tuesday morning, the child was playing in his babysitter's yard before he was attacked by a 70-pound chow and suffered lacerations to his face and head that took three dozen stitches to close.

In 1969, when she was 2 years old, her entire family perished in a house fire, said Khan, who recently remarried and counts her three children and two grandchildren — E.J. and his older sister — as her only kin.

"Everybody has always said about both of my grandchildren, they're very beautiful children. They're superstars, they look better than most of the people on TV," Khan told *The Record*.

The boy's looks were enough to catch the eye of photographer Mark Lunt, who took shots of Khan's Sept. 21 wedding and later asked to use a shot of E.J.

in his Daily Grind show. The family has long been told he could model, and considered it an opportunity for him to get ahead early in life.

Lunt, a Liverpool expatriate who now lives in Castleton and is more prone to photographing empty buildings in Troy than people, said he had never met the family, but ended up shooting the wedding for free on short notice.

"There was just something ... it depends on a person's point of view. There was just something magical," Lunt said of the photo.

According to Khan, the attack has been devastating to the family, who considered the child "a porcelain doll" who will now wear a web of seven scars across his face. Attorneys from Martin Harding and Mazzotti interviewed the family and photographed E.J.'s injuries

Wednesday, but it's not yet clear who, if anyone, will be held responsible, she said.

The city ticketed both babysitter Deborah Brust, 44, and the chow's owner, Nina Carlton, having an unlicensed animal and also charged Carlton with harboring a dangerous animal. Khan said she was told the child would be put down that day. City Animal Control Officer Kevin McDonough said the animal will be held in the Moha Hudson Humane Society shelter in Menands until a judge decides its fate Aug. 3.

E.J. is recovering, Khan said, but it's not clear how well he will bounce back from the attack.

"The day he came home from the hospital he was really groggy and crying continuously, he doesn't talk, so he can't say 'my boo-boo hurts,'" Khan said.

## Explosions: Assault on Brits' peace of mind

► Continued from A1

as the July 7 blasts — or whether they were linked to al-Qaida.

But NBC News reported that British authorities told their U.S. counterparts that backpacks and explosives used Thursday were identical to those in the July 7 attacks. And the British Broadcasting Corp. reported "speculation" that the devices were so similar they may even have been part of the same batch.

"Clearly, the intention must have been to kill," Police Commissioner Ian Blair told reporters. "You don't do this with any other intention. And I think the important point is that the intention of the terrorists has not been fulfilled."

Londoners fled the three Underground stations at midday, some sprinting barefoot after leaving their shoes behind in the scramble.

Witnesses on the Underground heard a pop like a bursting champagne cork. Others smelled an odor like burning rubber. At least one reported a minor explosion in a man's backpack, and then the man muttering that something had gone wrong.

Bus passengers reported a bang on the upper level, where windows were blown out. But some witnesses said the blast wasn't loud. Witnesses first saw the police running up the road, followed soon after by news cameramen lugging tripods.

The prime minister appealed for calm, and a Buckingham Palace garden party for 8,000

people, hosted by Queen Elizabeth II, went ahead.

But even among the famously stoic British, nerves were on edge.

"When I got home, my hands were shaking," said 24-year-old Lisa Chille, who uses the targeted Oval station. "I'm panicking like hell. It's just too close to home."

Firefighters and police with bomb-sniffing dogs sealed off city blocks and evacuated rows of restaurants, pubs and offices.

Britain's Press Association news agency reported detectives were working on the belief that the bombs were not properly primed — which could help explain the limited damage.

Although authorities did not say how many devices exploded, Paul Beaver, an independent defense expert, said an official told him it appeared that two bombs detonated and two others did not. Detonators are often faulty on commercial and military explosives, he said.

"These attacks don't look like they were a hallmark of any one group," Beaver told *The Associated Press*. "They don't fit into any clear patterns that we know of except they were timed."

One of the greatest police fears is that an audacious attack will inspire similar attacks, said Rachel Bronson, director of Mideast Studies at the New York-based Council on Foreign Relations. "It's all done to sow terror, and there's nothing more terrifying than bombs followed by bombs," she said.

Alarming, it appears the group was able to attack in the midst of an intense investigation

of the previous bus and train bombings. Often such follow-up attacks are uncovered and thwarted, Bronson said.

"What is very worrisome, London intelligence, which is among the best in the world, was only surprised two weeks ago but they're surprised by this," she said.

Emergency teams were sent to the three Underground stations after the attacks, and police commissioner said forensic evidence collected could provide a "significant break."

In one closely watched development, an armed police unit entered University College Hospital shortly after the blasts.

News TV reported that police were searching for a man with blue shirt with wires protruding from his pocket. Officers asked employees to look for a black South Asian man about 6-foot-4.

By late Thursday, the hospital said police had searched the facility but that three small rooms in an unoccupied part of the complex were cordoned off.

The attacks paralleled the July 7 blasts, which involved explosions at three Underground stations simultaneously starting at 8:50 a.m., followed about an hour later by a bomb going off on a bus. Those bombings took place in the center of London.

Thursday's attacks were more spread out and occurred during the lunch hour — beginning at about 12:38 p.m.

The bombs, which targeted trains near the Warren Street Oval and Shepherd's Bush stations, did not shut down the subway system, only three of its lines.

## Camp: Offers kids tons of summer activities

► Continued from A1

fun — a place to swim. "It would be more attractive to parents to send kids to a camp with a full access lake," said Executive Director Kristin Sweater.

She said it is a different experience for kids to swim in a lake rather than a pool. Sweater has three children and believes the number of campers would double if swimming were added to the list of activities. "As a parent you want to send your child

to a camp where they can be active," she said.

While children can fish and boat in the lake, swimming is not allowed. The path to the swimming area failed county inspection because muddy areas and large rocks could hold up an emergency vehicle. Long-time camp counselors said a private company did some grading once, but the club has not been able to finish the project. The club has consid-

ered contacting the National Guard for help.

The weekly fee for the summer camp is \$65 and includes bus transportation to Barker. Several children attending camp take advantage of the Rensselaer County summer food program, which offers breakfast, lunch and a snack.

*The club estimates it will cost \$12,000 to \$15,000 to fix the road. To make donations, please call the club at 274-3781.*

## Products: Prices could increase in the future

► Continued from A1

called the action a "good start," while the finance ministers and central bank presidents of the Group of Seven major industrial countries issued a joint statement praising the move that they said "will contribute toward global growth and stability."

U.S. business groups generally praised the action with John Engler, president of the National Association of Manufacturers, saying it had the potential "for beginning to correct the huge trade imbalances that have been created by distorted currencies."

But union groups were not impressed. Richard Trumka, secretary-treasurer of the AFL-CIO, said "a 2 percent revaluation doesn't mean much when the yuan is undervalued by 40 percent or more."

Some economists worried that China may have unleashed economic forces that will eventually worsen inflation in the United States by making imports not just from China but all of Asia more expensive for Americans. The biggest initial impact on

consumers may come in toy prices, since about 75 percent of toys sold in the United States come from China.

There also is concern that interest rates will be rising, too, as the Chinese curb the massive purchases of U.S. Treasury bonds they have been making as part of their campaign to keep the yuan fixed in value against the dollar.

Still, most analysts argued that the overall impact on the U.S. and world economies will be extremely positive by trimming America's huge deficits, which pose a threat to global financial stability.

A rising value of the yuan in relationship to the dollar is expected to eventually stabilize and then begin lowering the U.S. trade deficit and boost the fortunes of beleaguered American manufacturers, who have lost 3 million jobs since mid-2000.

"The winner in all of this will be American businesses and ultimately U.S. workers. It is now more likely that a person working in a U.S. factory today will still be working in that factory five years from now because

American products will be more competitive," said Mark Zandi, chief economist at Economy.com, a forecasting firm.

In its announcement, China said it would revalue its currency so that it will take 8.11 yuan to purchase one dollar instead of the 8.277 yuan it has taken over the past decade. That had the immediate effect of revaluing the yuan by 2.1 percent.

China also said it would switch from linking the yuan to the dollar and instead link it to a marketbasket of unspecified currencies. Beginning Friday, the yuan will be allowed to change in value within a 0.3 percent band each day.

An undervalued yuan has made Chinese products cheaper in U.S. markets and American products more expensive in China. American companies contend the yuan is undervalued by as much as 40 percent against the dollar. U.S. automakers estimate a midsize American-made car costs Chinese consumers \$2,000 more because of the undervalued currency.

## STATE OF NEW YORK PUBLIC SERVICE COMMISSION

July 6, 2005

### NOTICE OF EDUCATIONAL FORUMS AND PUBLIC STATEMENT HEARINGS ON PROPOSALS OF VERIZON AND MCI TO MERGE AND OF SBC AND AT&T TO MERGE

The New York Public Service Commission will hold three educational forums and public statement hearings concerning the joint petition of Verizon Communications, Inc. and MCI, Inc. to merge and the joint petition of SBC Communications, Inc. and AT&T Corporation to merge. The Commission may approve the petitions, reject them, or impose conditions on or make modifications to the parties' proposals. To help guide its decision-making process, the Commission is seeking the views of the public.

The educational forums and public statement hearings will be held as follows:

#### Buffalo Area

**Thursday, July 21, 2005**  
Buffalo City Council Chambers  
Buffalo City Hall, Room 1417  
65 Niagara Square  
Buffalo, NY 14202

**Educational Forum: 12:00 noon - 1:00 P.M.**  
**Public Statement Hearing: Starting at 1:00 P.M.**

#### New York City Area

**Tuesday, July 26, 2005**  
City University of New York (CUNY) Graduate Center  
First floor - Baisley Powell Elabash Recital Hall and Lobby  
365 Fifth Avenue (34th Street and Fifth Avenue)  
New York, NY 10016

**Educational Forum: 3:00 - 4:00 P.M.**  
**Public Statement Hearing: Starting at 4:00 P.M.**

#### Albany Area

**Thursday, July 28, 2005**  
East Greenbush Town Hall  
225 Columbia Turnpike  
Rensselaer, NY 12144

**Educational Forum: 6:00 - 7:00 P.M.**  
**Public Statement Hearing: Starting at 7:00 P.M.**

At each educational forum, Department of Public Service Staff will informally present and discuss the merger proposals and answer questions.

Following each forum, the public will have an opportunity to make comments at a hearing before Elizabeth H. Liebschutz, the Administrative Law Judge assigned by the Commission to this case. A verbatim transcript of the hearing will be made for inclusion in the record of this proceeding.

It is not necessary to make an appointment in advance or to present written material in order to speak at the public statement hearings. Persons requesting time to speak will be asked to fill out a card and will be called in the order that the cards are handed in. The hearing will continue until everyone wishing to speak has been heard or other reasonable arrangements are made.

Disabled persons requiring special accommodations should contact the Department of Public Service's Human Resource Management Office at (518) 474-2520 as soon as possible.

#### Other Ways of Commenting

In addition to attending the hearing, or as an alternative to attendance, persons may mail comments to Jaclyn A. Brillling, Secretary, Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350. Your comments should refer to "Case 05-C-0237 - Verizon-MCI Merger" and/or "Case 05-C-0242 - SBC-AT&T Merger." Comments must be submitted no later than August 22, 2005.

**Toll-free Opinion Line:** You may call the Commission's Opinion Line at 1-800-335-2120. This number is set up to take comments about pending cases from in-state callers, 24 hours a day. Callers should select English or Spanish and press "2" to leave comments about the proposed mergers.

The Internet: You may also comment via the "PSC Comment Form" in the "Consumer Assistance" file accessed through the Commission's Web site at <http://www.dps.state.ny.us>, or via the "Contact Us" link at <http://www.AskPSC.com>. Many libraries offer free Internet access.

All statements and comments received by the Administrative Law Judge and the Commission through any of these methods will be placed in the public case file and be made available for public inspection in the Commission's file room. The joint Verizon-MCI petition and the joint SBC-AT&T petition can be viewed at the Commission's offices, Central Files, 14th Floor, Three Empire State Plaza, Albany, New York or online at <http://www.dps.state.ny.us/05C0237-0242.html>.

#### Description of the Proposed Mergers

##### Verizon-MCI

Under the proposed transaction, Verizon Communications, Inc., a holding company with many telephone operating company subsidiaries, will acquire the stock of MCI, Inc., which is also a holding company. Initially, MCI's telephone operating subsidiaries will thus become second-tier subsidiaries of Verizon Communications, Inc. Although the proposed transaction does not involve the merger of any assets or operations of any of Verizon's or MCI's regulated subsidiaries, such reorganizations could be made later and, petitioners assert, would be subject to any required regulatory approvals.

The proposed transaction does not call for any change in the rates, terms or conditions for the provision of any telecommunications services provided in New York. Such changes could be made thereafter and would be subject to any required regulatory approvals.

According to the joint petition filed by Verizon and MCI, benefits of the merger will result from the combination of Verizon's local and wireless networks with MCI's national, international, and Internet backbone networks. The petitioners contend that the merger will eliminate duplicative expenses and create operational efficiencies. They assert that Verizon and its MCI subsidiary will be stronger than either would be standing alone, resulting in greater levels of investment and employment than either would sustain without the merger.

##### SBC-AT&T

Under the proposed transaction, SBC Communications, Inc., a holding company with many telephone operating company subsidiaries, will acquire the stock of AT&T Corp., which is also a holding company. Initially, AT&T's telephone operating subsidiaries will thus become second-tier subsidiaries of SBC Communications, Inc. Although the proposed transaction does not involve the transfers of any assets or certificates of AT&T's regulated subsidiaries in New York, such transfers could be made later and would be subject to any required regulatory approvals at that time.

According to the petitioners, the transaction will accelerate capital investment in AT&T's facilities. They assert that, once the SBC and AT&T networks are combined as part of one organization, transport will be more efficient and reliability will increase. They claim benefits from making the technological innovations of AT&T Labs available to SBC's residential and small business customers. The petitioners assert that the combined companies will be stronger and better able to compete with other providers.

\*\*\*\*\*

These matters are being heard in:

\* Case 05-C-0237 - Joint Petition of Verizon Communications, Inc. and MCI, Inc. for a Declaratory Ruling Disclaiming Jurisdiction Over or, in the Alternative, for Approval of Agreement and Plan of Merger and  
\* Case 05-C-0242 - Joint Petition of SBC Communications, Inc. and AT&T Corp., Together With Its Certificated New York Subsidiaries, for Approval of Merger.

JACLYN A. BRILLING  
Secretary

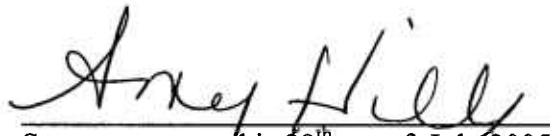


State of New York,  
City and County of Schenectady

ss.:

Amy Hills of the City of Schenectady, being duly sworn, says that he/she is Principal Clerk in the office of the Daily Gazette Co., published in the City of Schenectady and that the notice/advertisement, of which the annexed is a printed copy, has been regularly published in the Daily Gazette and/or Sunday Gazette as follows:

1 insertion July 21, 2005

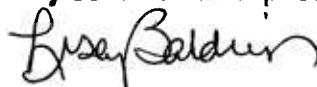
  
Sworn to me on this 29<sup>th</sup> ay of July 2005

LISA J. BALDWIN

NOTARY PUBLIC

COMMISSIONER OF DEEDS

My commission expires 6-28-06



▲ DOW JONES (up 42.59 pts to 10,689.15)  
 ▲ NASDAQ (up 15.39 pts to 2,188.57)  
 ▲ S&P 500 (up 5.85 pts to 1,235.20)  
 ▲ RUSSELL 2000 (up 8.70 pts to 677.56)

THE DAILY GAZETTE

## BRIEFS

## Some shops Johnstown extend hours

JOHNSTOWN — In an effort to evening shopping opportunities downtown as an alternative to malls, a half-dozen or so Main Street area shops and cafes are extending open to 8 p.m. each Thursday.

Although the extended hours have been in place for about a week, "Think Thursdays — downtown Johnstown" fliers by the Johnstown Merchants Association are seeking to make shoppers more aware, said Jean Sweet, an association member.

The advantage may be for the people who work all day to have an opportunity to come in," said Sweet, operator of Jean Sweet's Attic, a furniture store.

The evening hours are expected to last at least through September, Sweet said.

— R.J. Kelly

## Third-quarter profit up sharply at eBay

SAN FRANCISCO — eBay Inc.'s second-quarter profit surpassed analyst expectations as the online auction leader brushed aside worries that it may be losing its competitive edge.

The San Jose-based company reported Wednesday that it earned \$1.6 million, or 21 cents per share, for the three months ended June, a 53 percent increase from \$1.04 million, or 14 cents per share at the same time last year.

If not for accounting charges related to its ongoing operations, eBay said it would have earned 22 cents per share. That topped the mean analyst estimate of 18 cents per share, according to Thomson Financial.

— The Associated Press

## GM reports another big quarterly loss

DETROIT — General Motors Corp. reported another huge quarterly loss Wednesday, intensifying pressure on CEO Rick Wagoner to speed up the overhaul of North American operations that produced a \$1.2 billion torrent of red ink in the second quarter.

A surge of U.S. vehicle sales in June when GM extended its employee discount plan to all customers helped the company reduce bloated inventories, but it added little to the bottom line, that highlights the challenge Wagoner faces as the world's largest automaker tries to come up with new hit models while cutting costs in a way that doesn't trigger open warfare with unions.

"It's no secret GM has too many plants, people and nameplates and high legacy costs," Merrill Lynch analyst John Casasa said in a report.

— The Associated Press

## MARKETS

## Stocks shake off early losses

NEW YORK — Stocks shook off early losses and closed higher Wednesday after Federal Reserve Chairman Alan Greenspan delivered an upbeat assessment of the economy and Wall Street focused on solid earnings reported by a growing number of companies.

The Nasdaq composite index and the Standard & Poor's 500 hit new four-year highs.

The Dow Jones industrial average rose 42.59, or 0.40 percent, to 10,689.15.

Broader stock indicators also ended higher. The Standard & Poor's 500 rose 5.85, or 0.48 percent, to 1,235.20, its best close since July 2, 2001, and the Nasdaq composite index rose 15.39, or 0.71 percent, to 2,188.57, moving into positive territory for the year and reaching its highest point since June 18, 2001.

## Bond prices tick up

NEW YORK — Bond prices rose slightly Wednesday after Federal Reserve Chairman Alan Greenspan delivered an expected upbeat assessment of the economy.

The price of the benchmark 10-year Treasury note rose 5/32 point, or \$1.56 per \$1,000 in face value. Its yield, which moves in the opposite direction, fell to 4.18 percent, compared with 4.19 percent late Tuesday.

The 30-year Treasury bond rose 9/16 point to yield 4.39 percent, down from 4.43 percent, according to Moneyline Telerate.

## GLENVILLE

# Super Steel gets Canadian contract

## Company to build hybrid locomotives

BY R.J. KELLY  
Gazette Reporter

A Canadian designer of railroad locomotives has selected Super Steel Schenectady Inc. to build hybrid diesel-electric locomotives.

The contract with RailPower Technologies of Vancouver, British Columbia, means Super Steel is seeking to hire about 50 welders, electricians, painters and other mostly skilled workers, officials at Super Steel's Wisconsin-based parent company said Wednesday.

That would bring the work force in Glenville to about 250 by the time production for RailPow-

er is running at full steam in January, said Paul Stack, sales director for Super Steel Corp. in Milwaukee.

"We're looking for 40 people to bring in-house today," Super Steel's chief financial officer Keith Trafton said. Work is expected to begin in September, he said.

"We've got the capacity out in Schenectady," Trafton said. "They've got a good work force out there and we're very excited for Schenectady."

Expected salaries range from \$9 to \$18 per hour, he said.

The open-ended contract will

include production of an undetermined number of RailPower's "Green Goat" series of low-emission locomotives that run mostly on batteries charged by a diesel generator, according to RailPower spokesman Nigel Horsley.

The Green Goat, designed by a RailPower subsidiary in Erie, Pa., is a relatively small locomotive ranging from about 1,000 to 2,000 horsepower and is typically used to move freight cars around large switching yards.

Super Steel is expected to build about one Green Goat per month, Horsley said. RailPower has 90 Green Goats back-ordered, he said. The largest customer is Canadian Pacific Rail.

RailPower also has production capability with companies in Idaho, Texas and Calgary, Alberta. So the Super Steel Schenectady deal "gives us the fourth leg of the stool for the East Coast," he said.

The contract is more recent good news for the local Super Steel subsidiary.

In mid-May, the company announced a contract to build shells of light-rail trains in Glenville for Siemens Transportation Systems. About 90 additional jobs over two years were projected.

In late May, the state agreed to pay Super Steel Schenectady \$5.5 million to kill a project to build seven Turboliner trains planned for a proposed high-speed rail corridor between New York City and Albany. The state had already

spent \$64.8 million on Super Steel's work.

When Super Steel broke ground for its 160,000-square-foot Scotia-Glenville Industrial Park plant in 1995, former chief executive Michael Loundes predicted employment could eventually reach 1,000 workers.

Most work currently centers on production of Mitsubishi Electric Propulsion Products electrical hardware used by the Long Island Railroad and Metro North trains. The Glenville plant also makes components for GE and Electro-Motive Diesel, Stack said.

Reach Gazette reporter R.J. Kelly at 395-3198 or rkelly@dailygazette.net.

## ALBANY

# Clothing chain files reorganization plan

## Christopher's had sought protection from lender

BY JAMES SCHLETT  
Gazette Reporter

ALBANY — Christopher's Men's Stores Inc. plans to reorganize its finances by paying more than \$750,000 to a Connecticut lending firm and giving up leases for one or two downstate stores.

If the plan filed Tuesday in U.S. Bankruptcy Court is approved, the men's clothing chain would emerge from Chapter 11 protection on Oct. 1.

The filing comes months after Christopher's sought protection because it feared that the Webster Business Credit Corporation, which had lent money to the clothier, was trying to force liquidation of the business.

The dispute with Webster detailed Christopher's plans to expand in the Capital Region. Christopher's opened its first shop in Crossgates Mall nine years ago and operates five stores in New York and Pennsylvania.

The company's financial problems began in February 2004, when it began negotiating to buy

up to nine Sarar USA men's clothing stores in New Jersey and Pennsylvania. Christopher's then borrowed money from Webster in June 2004 to finance operations and to fund the store acquisitions, according to court transcripts of testimony from Christopher's President Vincent Rua.

In July 2004, Christopher's learned that it was outbid for the Sarar stores. But it maintained its relationship with Webster and began looking for alternative store locations, Rua testified.

Rua announced plans in October to triple the number of stores in the chain. However, earlier this year, he abandoned plans to open stores in downtown Albany and Clifton Park because of pressure from Webster, which was concerned about the business' financial situation, according to Rua's testimony.

On Feb. 4, Webster sent Christopher's a letter claiming the company had defaulted on some terms of their agreement.

"Although there was no payment default," Webster had asserted defaults in certain cove-

nants which Christopher's had disputed. Webster nonetheless prepared to send a consultant/liquidator to review Christopher's business and the [bankruptcy court] filing ensued," Rua and his attorney, Richard Weisz, said in a statement filed with the court Tuesday.

Under the reorganization plan, Christopher's is proposing to pay Webster \$60 monthly payments of \$13,370.80. Those payments plus additional ones Christopher's has made since April and a \$150,000 letter of credit would cover the \$1.05 million lien Webster put on

all of the company's assets, according to court documents.

The clothing chain plans to give up the lease for a store at Palsades Mall in West Nyack, which has not opened. Another lease for a store in Middletown may have to be dropped if a contract dispute cannot be resolved.

The plan is still subject to the approval of creditors. Webster officials did not return a telephone call seeking comment.

Reach Gazette reporter James Schlett at 395-3040 or jschlett@dailygazette.net.

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# Fed chief expects interest rates to rise

## Greenspan says economy still strong

BY JEANNINE AVERSA  
The Associated Press

WASHINGTON — Alan Greenspan signaled Wednesday that the Federal Reserve will keep pushing interest rates higher this year in an effort to keep inflation on an even keel.

The Fed chief had mostly positive things to say about the economy, but he cautioned that a big run-up in already high energy prices could throw a wrench into the outlook.

Greenspan also expressed heightened concern about "speculative fervor" in the booming housing market in some areas of the country.

For now, though, economic barometers suggest that the economy has emerged from a springtime soft spot, Greenspan told the House Financial Services Committee. The job market is improving, retail sales are picking up, business investment is firming and inflation is fairly tame, he noted.

"Our baseline outlook for the U.S. economy is one of sustained economic growth and contained inflation pressures. In our view, realizing this outcome will require the Federal Reserve to continue to remove monetary accommodation," he said, referring to further interest rates increases.

The Fed has pushed a key interest rate to 3.25 percent in nine modest, quarter-point moves. Before the Fed embarked on its credit tightening, that key rate stood at 1 percent, a 46-year low. Economists viewed Greenspan's comments as cementing another quarter-point increase at the Fed's next meeting, Aug. 9. Some believe the key rate could climb as



**'Our baseline  
outlook for the U.S.  
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growth and contained  
inflation pressures.'**

ALAN GREENSPAN  
Federal Reserve chairman

high as 4.25 percent by the end of this year.

Greenspan is delivering his final midyear economic outlook to Congress this week. At the helm of the Fed for 18 years, Greenspan is expected to step down next year.

Democratic and Republican lawmakers praised his handling of the world's largest economy. One lawmaker, Rep. Brad Sherman, D-Calif., said he was introducing a bill that would allow Greenspan to serve for another five years, removing the current requirement that will force him off the Fed board next Jan. 31.

"Does my wife have a vote on this?" Greenspan joked, referring to NBC News reporter Andrea Mitchell.

## STATE OF NEW YORK PUBLIC SERVICE COMMISSION

July 6, 2005

## NOTICE OF EDUCATIONAL FORUMS AND PUBLIC STATEMENT HEARINGS ON PROPOSALS OF VERIZON AND MCI TO MERGE AND OF SBC AND AT&T TO MERGE

The New York Public Service Commission will hold three educational forums and public statement hearings concerning the joint petition of Verizon Communications, Inc. and MCI, Inc. to merge and the joint petition of SBC Communications, Inc. and AT&T Corporation to merge. The Commission may approve the petitions, reject them, or impose conditions on or make modifications to the parties' proposals. To help guide its decision-making process, the Commission is seeking the views of the public.

The educational forums and public statement hearings will be held as follows:

### Buffalo Area

Thursday, July 21, 2005  
Buffalo City Council Chambers  
Buffalo City Hall, Room 1417  
65 Niagara Square  
Buffalo, NY 14202

Educational Forum: 12:00 noon – 1:00 P.M.  
Public Statement Hearing: Starting at 1:00 P.M.

### New York City Area

Tuesday, July 26, 2005  
City University of New York (CUNY) Graduate Center  
First floor - Baisley Powell Elabash Recital Hall and Lobby  
365 Fifth Avenue (34th Street and Fifth Avenue)  
New York, NY 10016

Educational Forum: 3:00 – 4:00 P.M.  
Public Statement Hearing: Starting at 4:00 P.M.

### Albany Area

Thursday, July 28, 2005  
East Greenbush Town Hall  
225 Columbia Turnpike  
Rensselaer, NY 12144

Educational Forum: 6:00 – 7:00 P.M.  
Public Statement Hearing: Starting at 7:00 P.M.

At each educational forum, Department of Public Service Staff will informally present and discuss the merger proposals and answer questions.

Following each forum, the public will have an opportunity to make comments at a hearing before Elizabeth H. Liebschutz, the Administrative Law Judge assigned by the Commission to this case. A verbatim transcript of the hearing will be made for inclusion in the record of this proceeding.

It is not necessary to make an appointment in advance or to present written material in order to speak at the public statement hearings. Persons requesting time to speak will be asked to fill out a card and will be called in the order that the cards are handed in. The hearing will continue until everyone wishing to speak has been heard or other reasonable arrangements are made.

Disabled persons requiring special accommodations should contact the Department of Public Service's Human Resource Management Office at (518) 474-2520 as soon as possible.

### Other Ways of Commenting

In addition to attending the hearing, or as an alternative to attendance, persons may mail comments to Jaclyn A. Brilling, Secretary, Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350. Your comments should refer to "Case 05-C-0237 - Verizon-MCI Merger" and/or "Case 05-C-0242 - SBC-AT&T Merger." Comments must be submitted no later than August 22, 2005.

**Toll-free Opinion Line:** You may call the Commission's Opinion Line at 1-800-335-2120. This number is set up to take comments about pending cases from in-state callers, 24 hours a day. Callers should select English or Spanish and press "2" to leave comments about the proposed mergers.

**The Internet:** You may also comment via the "PSC Comment Form" in the "Consumer Assistance" file accessed through the Commission's Web site at <http://www.dps.state.ny.us>, or via the "Contact Us" link at <http://www.AskPSC.com>. Many libraries offer free Internet access.

All statements and comments received by the Administrative Law Judge and the Commission through any of these methods will be placed in the public case file and be made available for public inspection in the Commission's file room. The joint Verizon-MCI petition and the joint SBC-AT&T petition can be viewed at the Commission's offices, Central Files, 14th Floor, Three Empire State Plaza, Albany, New York or online at <http://www.dps.state.ny.us/05C0237-0242.html>.

### Description of the Proposed Mergers

#### Verizon-MCI

Under the proposed transaction, Verizon Communications, Inc., a holding company with many telephone operating company subsidiaries, will acquire the stock of MCI, Inc., which is also a holding company. Initially, MCI's telephone operating subsidiaries will thus become second-tier subsidiaries of Verizon Communications, Inc. Although the proposed transaction does not involve the merger of any assets or operations of any of Verizon's or MCI's regulated subsidiaries, such reorganizations could be made later and, petitioners assert, would be subject to any required regulatory approvals.

The proposed transaction does not call for any change in the rates, terms or conditions for the provision of any telecommunications services provided in New York. Such changes could be made thereafter and would be subject to any required regulatory approvals.

According to the joint petition filed by Verizon and MCI, benefits of the merger will result from the combination of Verizon's local and wireless networks with MCI's national, international, and Internet backbone networks. The petitioners contend that the merger will eliminate duplicative expenses and create operational efficiencies. They assert that Verizon and its MCI subsidiary will be stronger than either would be standing alone, resulting in greater levels of investment and employment than either would sustain without the merger.

#### SBC-AT&T

Under the proposed transaction, SBC Communications, Inc., a holding company with many telephone operating company subsidiaries, will acquire the stock of AT&T Corp., which is also a holding company. Initially, AT&T's telephone operating subsidiaries will thus become second-tier subsidiaries of SBC Communications, Inc. Although the proposed transaction does not involve the transfers of any assets or certificates of AT&T's regulated subsidiaries in New York, such transfers could be made later and would be subject to any required regulatory approvals at that time.

According to the petitioners, the transaction will accelerate capital investment in AT&T's facilities. They assert that, once the SBC and AT&T networks are combined as part of one organization, transport will be more efficient and reliability will increase. They claim benefits from making the technological innovations of AT&T Labs available to SBC's residential and small business customers. The petitioners assert that the combined companies will be stronger and better able to compete with other providers.

These matters are being heard in:

- Case 05-C-0237 - Joint Petition of Verizon Communications, Inc. and MCI, Inc. for a Declaratory Ruling Disclaiming Jurisdiction Over or, in the Alternative, for Approval of Agreement and Plan of Merger and
- Case 05-C-0242 - Joint Petition of SBC Communications, Inc. and AT&T Corp. Together With Its Certified New York Subsidiaries, for Approval of Merger.

JACLYN A. BRILLING  
Secretary



## Local Stocks

365-Day	High	Low	Stock	Div	% Yield	52-Week	Close	Chg.
15.00	29.63	AT&T	28	2.8	11.50	31.69	-.56	23.25 4.13
17.88	12.75	Albany	15	3.86	14.69	15.35	-.06	34.81 5.00
59.50	26.94	BioCrh	1.20	3.1	24.64	32.56	-.13	43.50 25.25
9.42	6.94	Bosteer	16	7.13	1.31	43.50	-.13	26.13 5.00
40.20	26.11	CH Enr	1.1	3.63	6.00	69.90	-.12	1.1 3.3

- 1 Stock's high and low price over the previous 365 days. Does not include yesterday's price.
- 2 Abbreviated stock symbol.
- 3 Payout per share.
- 4 Percentage rate of return paid in dividends on a share of stock.
- 5 The price of a share of stock compared to company's earnings per share.
- 6 The daily volume of shares traded, in hundreds of shares.
- 7 Price of the stock at the close of trading.
- 8 Change in the price of the stock from previous day's close.

## Mutual Funds

The net asset value (total net assets divided by the number of shares) of the fund is listed daily, along with the change in the NAV. In an effort to provide a wider range of information about each fund, the following information is listed on a weekly basis:

**TUESDAY:** Offer price (NAV plus sales fee, if any).

**WEDNESDAY:** Year-to-date return, with dividends reinvested.

**THURSDAY:** The fund's ranking over the past 12 months compared with similar funds, with 1 in the top 20 percent, and 5 in the bottom 20 percent.

**FRIDAY:** 12-month return, with dividends reinvested.

**SATURDAY:** Five-year ranking, compared with similar funds.

**SUNDAY:** Five-year return, with dividends reinvested.

If a stock or mutual fund you follow isn't listed, or disappears from the listings, call Mary Kearney at 518/395-3140 to have it listed.

## FOOTNOTES

Sales figures are unofficial. **u**—Indicates a new 52-week high. **d**—Indicates a new 52-week low. **g**—Dividend or earnings in Canadian money. Stock trades in U.S. dollars. No yield or PE unless stated in U.S. money. **n**—New issue in the past 52 weeks.

The high-low range begins with the start of trading and does not cover the entire 52 week period. **s**—Split stock dividend of 20 percent or more in the past 52 weeks. The high-low range is adjusted from the old stock dividend begins with the date of split or stock dividend. **v**—Trading halted on primary market. Unless otherwise noted, rates of dividends in the foregoing table are annual disbursements based on the last quarterly regular dividend identified in the following footnotes:

**a**—Also extra or extras. **b**—Annual rate plus stock dividend. **c**—Liquidating dividend. **d**—Declared or paid in preceding 12 months. **e**—Annual rate, increased on last declaration. **f**—Declared or paid after stock dividend or split. **g**—Paid this year, dividend omitted, deferred or no dividend taken. **h**—Distribution date. **i**—Declared or paid this year, an accumulative issue with dividends in arrears. **m**—Annual rate, reduced on last declaration. **p**—Initial dividend, annual rate unknown, yield not shown. **r**—Declared or paid in preceding 12 months plus stock dividend. **s**—Paid in stock in preceding 12 months, estimated cash value on ex-dividend date. **u**—Distribution date. **x**—Ex-dividend or ex-rights. **y**—Ex-dividend and sales in full. **z**—Sales in full. **aa**—Preferred. **ab**—Holder owns installment(s) of purchase price. **ac**—Rights. **ad**—Units. **ae**—When distributed. **af**—When issued. **ag**—Warrants. **ah**—With warrants. **ai**—Without warrants. **aj**—In bankruptcy or receivership or being reorganized under the Bankruptcy Act or securities assumed by such companies. **ak**—Closed-end fund, no PE calculated. **al**—PE is 100 or more. **am**—Loss in the last 12 months.

## Various Markets

High	Low	Name	Last	Net Chg	% Chg	YTD % Chg	52-wk % Chg
10,984.46	9,708.40	Dow Jones Industrials	10,689.15	+42.59	+0.40	-87	+6.40
3,889.97	2,959.58	Dow Jones Transportation	3,769.48	+132.50	+3.64	-75	+22.10
400.17	274.84	Dow Jones Utilities	395.98	+2.00	+0.56	+18.22	+41.73
7,457.77	6,215.97	NYSE Composite	7,453.41	+38.84	+0.52	+2.80	+16.64
1,587.35	1,186.14	AMEX Index	1,539.62	+4.54	+0.30	+7.34	+23.35
2,191.60	1,750.82	Nasdaq Composite	2,168.57	+15.39	+0.71	+0.40	+16.76
1,233.16	1,080.72	S&P 500	1,225.20	+5.85	+0.48	+1.92	+22.52
674.33	515.90	Russell 2000	677.56	+8.70	+1.30	+3.99	+23.51
12,322.58	10,288.52	DJ Wilshire 5000	12,354.18	+67.08	+0.55	+3.20	+15.99

## GOLD

London late	422.10	up	2.60
NY Handy & Harman	422.15	up	2.90
NY Handy & Harman fabricated	455.92	up	3.13
NY Merc. gold spot month Wed	421.70	up	2.09

## SILVER

Handy & Harman silver Wednesday	7.070	up	0.070
NY Merc silver spot month Wednesday	7.038	up	0.084

## FOREIGN EXCHANGE

Foreign currency	Dollar in foreign currency
Argentina	3495
Bahrain	26525
Brazil	4268
Canada	815
China	10017
Colombia	400433
Czech Rep	4041
Denmark	1623
Dominican Rep	000351
Egypt	1732
Euro	12108
Hong Kong	1286
Hungary	0049
India	00230
Indonesia	000102

## NEW YORK STOCK EXCHANGE

47.47	41.70	BlockH	1.00	1.7	130.571	44.86	+0.00	42.27	33.71	AMERICAN	16.24	12	76533	34.45
60.00	45.13	BlockH	1.00	1.7	73.19	58.97	-.32			VERIZON	STOCK	EXCHANGE		
27.95	18.08	BostBeer	22	23.1	22.43	41.4	-.04	31.75	22.40	Espey	.60	1.9	35	10 31.00
49.73	42.07	CH Enr	2.16	4.5	28.1	48.45	+2.9							
24.03	18.02	CVTSP	92	4.9	27	235.183	-.04							
58.00	40.00	CompSci	11	14.714	45.97	-.54								
17.94	9.85	Dept56	6	653	10.74	+.02								
35.19	24.63	Ekdod	50	1.8	21	1356.43	+.02	16.19	8.01	AlbanyMyc			1926	15.14
30.06	23.48	GenElec	1.10	3.9	66.32	27.85	+.01	27.30	8.90	AngioDyn	63		2'989	25.18
37.75	31.24	GenElec	8.25	2.1	182.56	35.30	+.03	32.65	2.40	ArrowHw	.92b	3.1	16	14 29.26
39.50	31.85	HonWllnt	8.1	2.1	91.084	38.73	+1.13	8.49	2.32	Autentiv			2229	34.42
99.10	71.28	IBM	80	9	71.084	64.60	+.46	44.60	3.00	CBRL Corp	.48	1.2	17	10980 39.61
43.66	29.76	Intcap	1.00	3.1	93.986	32.40	+.15	13.18	6.15	Cholest			38	219 10.94
34.50	29.00	Kopyco	1.30	3.7	14.836	34.83	+.20	17.49	1.43	DayStar			1999	16.01
65.46	51.20	LockHd	1.00	1.2	187.80	61.75	+.17	9.94	4.84	StAlbany.05j			64	5.89
4.16	2.35	Lument	12	413.225	2.96	-.06	35.00	15.08	Frst Niagara	.36	2.4	20	3784	14.95
41.24	32.04	MayDS	9.8	2.4	162.24	41.28	+.20	6.55	3.32	IntegAlarm			354	4.93
46.97	32.99	MedLife	4.6	1.0	31.799	46.49	+1.13	30.00	19.83	Intmrag s	21		1576	30.00
52.39	39.40	NatGrd	2.17	4.8	794	45.41	+.04	19.24	10.71	Kaman	.50f	2.7	1309	18.36
45.07	28.30	Navistar	9	5073	34.41	+.43	19.73	8.83	MapInfo			31	535	10.12
21.74	17.17	NorEut	7.0	3.3	3493	21.42	+.02	6.50	2.58	MechTrk			1834	2.54
47.50	40.62	PlymB	1.24	2.8	43.47	43.61	+.09	8.20	4.62	PugPower			4498	6.49
18.63	11.92	RexStrs	7	442	15.49	+.11	9.85	1.61	Regenm				4226	10.22
										SrnsHlids			16	29445 163.1
										TnnWEnt			11	960 11.29
										Trist	.60	4.5	17	1355 13.94

## NASDAQ NATIONAL MARKET

365-Day	High	Low	Stock	Div	% Yield	52-Week	Close	Chg.
20.01	13.59	AT&T	95	5.00	66.134	19.15	+.03	51.11 22.78
35.46	27.91	Albany	32	1.0	42	966	33.46	-1.00
69.68	44.50	Altria	2.92	4.4	69.970	66.26	+1.00	38.43 29.48
47.47	41.70	BioCrh	1.00	3.1	130.571	44.86	+0.00	42.27 33.71
60.00	45.13	BlockH	1.00	1.7	73.19	58.97	-.32	42.27 33.71
27.95	18.08	BostBeer	22	23.1	22.43	41.4	-.04	31.75 22.40
49.73	42.07	CH Enr	2.16	4.5	28.1	48.45	+2.9	60.19 35.10
24.03	18.02	CVTSP	92	4.9	27	183.74	-.04	60.19 35.10
58.00	40.00	CompSci	11	14.714	45.97	-.54	60.19 35.10	
17.94	9.85	Dept56	6	653	10.74	+.02	60.19 35.10	
35.19	24.63	Ekdok	50	1.8	21	1356.43	+.02	60.19 35.10
30.06	23.48	GenElec	1.10	3.9	66.32	27.85	+.01	60.19 35.10
37.75	31.24	GenElec	8.25	2.1	182.56	35.30	+.03	60.19 35.10
39.50	31.85	HonWllt	8.1	2.1	91.084	38.73	+1.13	60.19 35.10
99.10	71.28	IBM	80	9	71.084	64.60	+.46	60.19 35.10
43.66	29.76	Intcap	1.00	3.1	93.986	32.40	+1.58	60.19 35.10
34.50	29.00	Kopyco	1.30	3.7	14.836	34.83	+.20	60.19 35.10
65.46	51.20	LockHd	1.00	1.2	187.80	61.75	+.17	60.19 35.10
4.16	2.35	Lument	12	413.225	2.96	-.06	60.19 35.10	
41.24	32.04	MayDS	9.8	2.4	162.24	41.28	+.20	60.19 35.10
46.97	32.99	MedLife	4.6	1.0	31.799	46.49	+1.13	60.19 35.10
52.39	39.40	NatGrd	2.17	4.8	794	45.41	+.04	60.19 35.10
45.07	28.30	Navistar	9	5073	34.41	+.43	60.19 35.10	
21.74	17.17	NorEut	7.0	3.3	3493	21.42	+.02	60.19 35.10
47.50	40.62	PlymB	1.24	2.8	43.47	43.61	+.09	60.19 35.10
18.63	11.92	RexStrs	7	442	15.49	+.11	60.19 35.10	

## NASDAQ NATIONAL MARKET

EW RE	10.32	1.07	A	EmelSolR	3.48	+7.15	ShiRst S	66.85	+7.84	RaeSyst	3.93
				EmpireRS	10.50	-1.10	ShiHlthc	u62.92	+7.80		
				Endyrlnt	4.02	+7.22	ShiSPSml	u58.14	+7.80		

## NASDAQ NATIONAL MARKET

bleauctn	.49	-.01	Eur2001	65.15	+.77	ShSCBAV su65.25	+.88	ReggkH	138.36
braxas	3.51	-.14	Everinco	15.01	-.04	ShSCBAg u115.09	+1.22	Rentech	1.46
								DetailUT	112.85