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**BEFORE THE ARIZONA CORPORATION COMMISSION**

WILLIAM A. MUNDELL  
CHAIRMAN  
JIM IRVIN  
COMMISSIONER  
MARC SPITZER  
COMMISSIONER

2002 JAN 30 A 11:51  
AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF  
AMERICAN FIBER NETWORK, INC. FOR A  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY TO PROVIDE COMPETITIVE  
RESOLD LOCAL EXCHANGE  
TELECOMMUNICATIONS SERVICES.

DOCKET NO. T-03815A-99-0711

**PROCEDURAL ORDER**

**BY THE COMMISSION:**

On June 28, 2001, the Arizona Corporation Commission ("Commission") issued Decision No. 63837 which granted American Fiber Network, Inc. ("AFN") a Certificate of Convenience and Necessity ("CC&N") to provide competitive resold local exchange telecommunications services in the State of the Arizona.

Pursuant to Decision No. 63837, AFN was ordered to: 1) notify the Compliance Section of the Utilities Division of the date AFN will begin providing service in Arizona; 2) file conforming tariffs within 30 days of the date of the Decision; and 3) file a performance bond for a minimum of \$100,000 within 90 days of the date of the Decision.

On October 9, 2001, AFN filed a request for an extension to file the above-named provisions.

On January 23, 2002, Staff filed a memorandum recommending that AFN be given a one-time extension until March 11, 2002 or until 30 days prior to providing service, whichever is sooner, to submit the compliance filings. Staff indicated it would recommend denial of any further extensions in this matter.

Arizona Corporation Commission  
**DOCKETED**

**JAN 30 2002**

DOCKETED BY *mal*

1 IT IS THEREFORE ORDERED that American Fiber Network, Inc. shall notify the  
2 Compliance Section of the Utilities Division of the date they will begin providing service to Arizona  
3 customers, file its conforming tariffs and performance bond no later than March 11, 2002 or 30 days  
4 prior to providing service in Arizona, whichever occurs first.

5 DATED this 30 day of January, 2002.

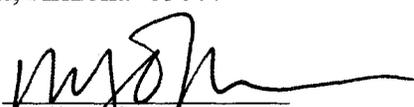
6   
7 PHILIP J. DION III  
8 ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered  
10 this 30 day of January, 2002 to:

11 Robert E. Heath  
12 American Fiber Network, Inc.  
13 9401 Indian Creek Parkway, Ste. 140  
14 Overland Park, KS 66210

15 Christopher Kempley, Chief Counsel  
16 Legal Division  
17 ARIZONA CORPORATION COMMISSION  
18 1200 West Washington Street  
19 Phoenix, Arizona 85007

20 Ernest G. Johnson, Director  
21 Utilities Division  
22 ARIZONA CORPORATION COMMISSION  
23 1200 West Washington Street  
24 Phoenix, Arizona 85007

25 By:   
26 Molly Johnson  
27 Secretary to Philip J. Dion III  
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