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ARIZONA CORPORATION COMMISSION AUG 9 1 12 PM '00
Arizona Corporation Commission

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August 9, 2000
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Steven Erick Swenson, ESQ
American Fiber Network, Inc.
60 South 600 East, Suite 200
Salt Lake City, Utah 84102

DOCKETED BY	<i>Jm</i>
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RE: IN THE MATTER OF THE APPLICATION AND PETITION OF AMERICAN FIBER NETWORK, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE INTRASTATE TELECOMMUNICATIONS SERVICES. (DOCKET NO. T-03815A-99-0711)

Dear Mr. Swenson:

On December 9, 1999, American Fiber Network, Inc., filed an application for a Certificate of Convenience and Necessity (CC&N) to resell communications services within the State of Arizona and for a determination that services of the company are competitive. I have faxed and called on March 30, May 18 & 19, and June 23, 2000, for additional information, missing from the Application. However, to date I have received no response.

In order for Staff to continue with its review of this application, the previously requested information has been docketed in the form of Data Requests, which are found on page 2 of this letter. The responses to the attached Data Requests must be submitted within **71 days** of the date of this letter to the Docket Control Center. Please mail an original plus 10 copies to: Docket Control, Arizona Corporation Commission, 1200 W. Washington Street, Phoenix, AZ 85007-2927.

Failure to respond within **71 days** of the date of this letter will result in Staff's recommendation that the application be terminated. **Be advised that the legal consequence of termination of the application, is that the Applicant will no longer have the authority to resell telecommunication services within the State of Arizona and must cease all business activity involving resold telecommunications services for which it is currently applying, until such time as a new application is filed with and approved by the Commission.**

Remember that information submitted for a CC&N will be made public record (including financial statements). If you have any questions, please contact me at (602) 542-0871. Thank you for your prompt response to this request.

Respectfully,

Rodney Moore
Auditor III

Steven Erick Swenson, ESQ
American Fiber Network, Inc.
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**AMERICAN FIBER NETWORK, INC.
DOCKET NO. T-03815A-99-0711
DATA REQUEST**

1. Revised Tariff for non facility-based resold local exchange telecommunications services.