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August 10, 2007

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AUG 10 2007

Mr. Robert E. Heath, EVP
American Fiber Network, Inc.
9401 Indian Creek Parkway
Building 40, Suite 140
Overland Park, Kansas 66210

DOCKETED BY	<i>R/K</i>
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RE: STAFF'S SECOND SET OF DATA REQUESTS TO AMERICAN FIBER NETWORK, INC., DOCKET NO. T-03815A-06-0747

Dear Mr. Heath:

Please treat this as Staff's Second Set of Data Requests to American Fiber Network, Inc. ("AFN") in the above matter.

For purposes of this data request set, the words "AFN", "Applicant", "the Company", "you", and "your" refer to American Fiber Network, Inc. and any representative, including every person and/or entity acting with, under the control of, or on behalf of AFN. For each answer, please identify by name, title, and address each person providing information that forms the basis for the response provided.

These data requests are continuing, and your answers or any documents supplied in response to these data requests should be supplemented with any additional information or documents that come to your attention after you have provided your initial responses.

Please provide Docket Control with the information being requested within 30 days of the date of this letter. Mail an original plus 13 copies to Docket Control, Arizona Corporation Commission, 1200 W. Washington Street, Phoenix, AZ 85007-2927. If no response is received, Staff will recommend that the application be terminated as per Rule R14-2-1103 and R14-2-510(E)3. If the application is terminated, the Applicant cannot provide the same telecommunications services in Arizona 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 a part of the public record (including financial statements). Any information designated as confidential will not be

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accepted by Docket Control. If you have any questions, please contact me at (602) 542-0664.
Thank you for your prompt response to this request.

Respectfully,



Pamela J. Genung
Public Utilities Analyst V
Utilities Division

Enclosure(s)

CC: Docket Control (Original and Thirteen Copies)

ARIZONA CORPORATION COMMISSION
STAFF'S SECOND SET OF DATA REQUESTS TO
AMERICAN FIBER NETWORK, INC.
DOCKET NO. T-03815A- 06-0747

Please make sure each numbered item and each part of the item is answered completely. In order for Staff to continue its review of this Application, the following information must be submitted:

- PJG2-1 In reference to your response provided in PJG1-1, please provide answers to the following:
- a. Specify how long AFN has been providing resold local exchange service within the State of Arizona.
 - b. Specify the number of **residential customers** that AFN is currently providing resold local exchange service to in Arizona.
 - c. Specify the number of resold **residential** local exchange **access lines** that AFN is currently providing service to in Arizona.
 - d. Specify the number of **business customers** that AFN is currently providing resold local exchange service to in Arizona.
 - e. Specify the number of resold **business** local exchange **access lines** that AFN is currently providing service to in Arizona.
- PJG2-2 Under what authority or Decision is AFN authorized to provide resold local exchange service within the State of Arizona?
- PJG2-3 Pursuant to the requirements of Decision No. 63837 issued June 28, 2001, please provide proof whether AFN is in compliance with the following items:
- a. Procurement of a performance bond of at least \$25,000.
 - b. Current tariff and rates for resold local exchange service (with a stamped approval).
- PJG2-4 Please acknowledge receipt of a letter dated August 6, 2001, from Patrick C. Williams, Manager of Compliance and Enforcement at the Arizona Corporation Commission in reference to Docket No. T-03815A-99-0711, Decision No. 63837.
- PJG2-5 Is AFN aware that the above-referenced letter of non-compliance, identified in PJG2-4, rendered the Certificate of Convenience and Necessity ("CC&N") that was conditionally approved in Decision No. 63837 for AFN to provide resold local exchange service in Arizona null and void?
- PJG2-6 In the "Pricing and Certification Matrix" that was provided by AFN, please explain the difference between the Arizona Business Line Rate of \$30.81 compared to the Simple Business Basic Business Rate of \$30.40 as indicated on Original Sheet 60 in AFN's proposed Arizona Price List issued May 29, 2007. If the rates are suppose to be the same, please provide an update to the tariff page or to the matrix.

ARIZONA CORPORATION COMMISSION
STAFF'S SECOND SET OF DATA REQUESTS TO
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PJG2-7 Please explain how AFN calculated the rates that are contained in its tariffs for each of the services to be offered.

PJG2-8 As requested in PJG1-11, please indicate why you believe that your range of rates is just and reasonable using a competitive market analysis. Provide actual tariff pages and use a matrix format to show your actual or proposed tariff rates and charges. Then show each competitor's tariff rates and charges for comparable telecommunications services and/or calling plans. At a minimum, show tariff information of Qwest and three other competitors in Arizona. Your analysis should contain publicly available examples of tariff rates and charges charged by the incumbent and other carriers for similar services. Include any other information that you believe demonstrates that your actual rates are just and reasonable.

For a list of telecommunications carriers certified in Arizona, go to www.cc.state.az.us/utility/utility. For a list of Commission-approved telecommunications rates and tariffs, go to www.cc.state.az.us/utility/tariffs. The material you provide should enable Staff to determine whether the tariff rates and charges of the Applicant are just and reasonable compared to other competitors offering the same or similar telecommunications services in Arizona. Please provide all source documentation.