

Bank of America



0000093206

T-20497A-06-0802

BANK OF AMERICA

PAGE: 1

DATE: JANUARY 27, 2009 RECEIVED

IRREVOCABLE STANDBY LETTER OF CREDIT NUMBER: [REDACTED]

2009 JAN 29 P 3:52

ORIGINAL

AZ CORP COMMISSION
DOCKET CONTROL

ISSUING BANK
BANK OF AMERICA, N.A.
ONE FLEET WAY
PA6-580-02-30
SCRANTON, PA 18507-1999

BENEFICIARY
ARIZONA CORPORATION COMMISSION
DOCKET CONTROL CENTER
1200 WEST WASHINGTON STREET
PHOENIX, ARIZONA 85007

APPLICANT
CBeyond COMMUNICATIONS, LLC
320 INTERSTATE N. PARKWAY
SUITE 500
ATLANTA, GA 30339

AMOUNT
NOT EXCEEDING USD 110,000.00
NOT EXCEEDING ONE HUNDRED TEN THOUSAND AND 00/100'S US DOLLARS

EXPIRATION
JANUARY 1, 2010 AT OUR COUNTERS

WE HEREBY OPEN OUR IRREVOCABLE STANDBY LETTER OF CREDIT NUMBER
68032867 IN YOUR FAVOR.

THIS CREDIT IS AVAILABLE WITH BANK OF AMERICA N.A., BY PAYMENT
AGAINST PRESENTATION OF BENEFICIARY'S DRAFT(S) AT SIGHT DRAWN ON BANK
OF AMERICA N.A.

DRAFT(S) MUST BE ACCOMPANIED BY:

1. THE ORIGINAL LETTER OF CREDIT AND ALL AMENDMENTS, IF ANY.
2. A DATED STATEMENT SIGNED BY AN AUTHORIZED OFFICER OF THE BENEFICIARY ON BENEFICIARY'S LETTERHEAD READING AS FOLLOWS:

QUOTE
THE ARIZONA CORPORATION COMMISSION HAS FOUND IN ITS DISCRETION THAT
THE COMPANY IS IN DEFAULT OF ITS OBLIGATIONS ARISING FROM ITS
CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE FACILITIES-BASED
LOCAL EXCHANGE AND RESOLD LONG DISTANCE TELECOMMUNICATIONS SERVICES
IN ARIZONA, AS OUTLINED IN DOCKET NO. T-20497A-06-0802, DECISION NO.
70644.
UNQUOTE

PARTIAL DRAWINGS ARE ALLOWED.

DRAFT(S) MUST STATE "DRAWN UNDER BANK OF AMERICA N.A., STANDBY LETTER
OF CREDIT NUMBER [REDACTED] DATED JANUARY 27, 2009."

Arizona Corporation Commission
DOCKETED

JAN 29 2009

ORIGINAL

DOCKETED BY



THIS IS AN INTEGRAL PART OF LETTER OF CREDIT NUMBER: [REDACTED]

DRAFT(S) AND DOCUMENTS SHALL BE PRESENTED AT OUR OFFICES AT BANK OF AMERICA, N.A., ONE FLEET WAY, SCRANTON, PA 18507-1999, ATTN: GLOBAL TRADE OPERATIONS, STANDBY UNIT.

COMMUNICATIONS WITH RESPECT TO THIS LETTER OF CREDIT SHALL BE IN WRITING AND SHALL BE ADDRESSED TO US AT ONE FLEET WAY, SCRANTON, PA 18507-1999, ATTN: GLOBAL TRADE OPERATIONS, STANDBY UNIT, PHONE: 1-800-370-7519, SPECIFICALLY REFERRING TO THE NUMBER OF THIS LETTER OF CREDIT.

EXCEPT AS OTHERWISE EXPRESSLY STATED HEREIN, THIS CREDIT IS ISSUED SUBJECT TO THE INTERNATIONAL STANDBY PRACTICES (ISP98), INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NO. 590.

IF YOU REQUIRE ANY ASSISTANCE OR HAVE ANY QUESTIONS REGARDING THIS TRANSACTION, PLEASE CALL 1-800-370-7519 OPT 1.



AUTHORIZED SIGNATURE

THIS DOCUMENT CONSISTS OF 2 PAGE(S).

ORIGINAL