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BEFORE THE ARIZONA CORPORATION

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Arizona Corporation Commission

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AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY

COMMISSIONERS
GARY PIERCE, Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

IN THE MATTER OF THE PETITION OF
ABOVENET COMMUNICATIONS, INC.,
FOR AUTHORITY TO ENCUMBER ITS
ASSETS IN CONNECTION WITH
FINANCING

DOCKET NO. T-03774A-10-0488

NOTICE OF FILING

AboveNet Communications, Inc. ("AboveNet") hereby files an affidavit of publication from the Arizona Republic for the January 26, 2011 publication.

RESPECTFULLY SUBMITTED THIS 4th day of February, 2011.

ROSHKA DEWULF & PATTEN, PLC

By

Michael W. Patten
Timothy J. Sabo
One Arizona Center
400 East Van Buren Street, Suite 800
Phoenix, Arizona 85004

Counsel for AboveNet Communications, Inc.

Original and 13 copies of the foregoing filed this 4th day of February 2011 with:

Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

ROSHKA DEWULF & PATTEN, PLC
ONE ARIZONA CENTER
400 EAST VAN BUREN STREET - SUITE 800
PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

1 Copies of the foregoing hand-delivered/mailed
this 4th day of February, 2011 to:

2 Lyn A. Farmer, Esq.
3 Chief Administrative Law Judge
4 Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

5 Janice Alward, Chief Counsel
6 Legal Division
7 Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

8 Steve Olea, Director
9 Utilities Division
10 Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

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By *Mary Appolito*

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THE ARIZONA REPUBLIC

IN THE MATTER OF THE APPLICATION OF ABOVE NET COMMUNICATIONS, INC. FOR A FINANCING ORDER AUTHORIZING VARIOUS FINANCING TRANSACTIONS. DOCKET NO.

T-03774-10-0488

AboveNet Communications, Inc. ("AboveNet") filed an Application ("Application") on December 9, 2010, with the Arizona Corporation Commission ("Commission") in Docket No. T-03774A-10-0488 to encumber its assets in connection with financings of up to \$400 million for itself or its parent company, AboveNet, Inc. ("Parent") (Parent and AboveNet, together the "Borrowers"). AboveNet requests this authority pursuant to under A.R.S. § 40-285. The Application is available for inspection during regular business hours at the Commission's offices at 1200 West Washington Street, Phoenix, Arizona 85007, and at the office of Applicants' legal counsel, Roshka DeWulf & Patten, PLC, 400 East Van Buren Street, Suite 800, Phoenix, Arizona 85004. Intervention in the Commission's proceedings on the application shall be permitted to any person entitled by law to intervene and having a direct substantial interest in this matter. Persons desiring to intervene must file a Motion to Intervene with the Commission which must be served upon applicant and which, at a minimum shall contain the following information: (1) The name, address and telephone number of the proposed intervenor and of any person upon whom service of documents is to be made if different than the intervenor; (2) A short statement of the proposed intervenor's interest in the proceeding; (3) Whether the proposed intervenor desires a formal evidentiary hearing on the application and the reasons for such a hearing; (4) A statement certifying that a copy of the Motion to Intervene has been mailed to Applicant. Intervention shall be in accordance with A.A.C. R14-3-105, except that all Motions to Intervene must be filed on, or before, the 15th day after this notice.
Published: Jan. 26, 2011

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS.

Mark Gilmore, being first duly sworn, upon oath deposes and says: That he is a legal advertising representative of the Arizona Business Gazette, a newspaper of general circulation in the county of Maricopa, State of Arizona, published at Phoenix, Arizona, by Phoenix Newspapers Inc., which also publishes The Arizona Republic, and that the copy hereto attached is a true copy of the advertisement published in the said paper on the dates as indicated.

The Arizona Republic

January 26, 2011



Sworn to before me this
2TH day of
February A.D. 2011

 **BRIAN BILLINGS**
Notary Public - Arizona
Maricopa County
My Comm. Expires Jul 25, 2014


_____ Notary Public