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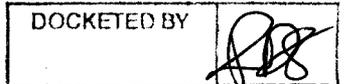
Peter E. Chevalier  
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Arizona Corporation Commission  
**DOCKETED**

SEP 7 2011

September 7, 2011

Yvette B. Kinsey  
Administrative Law Judge  
Arizona Corporations Commission  
1200 West Washington  
Phoenix, AZ 85007-2996



**Re: Docket No. T-20783A-11-0024 - Application for Approval of a Certificate of Convenience and Necessity of Zayo Group, LLC Disclosure to Correct Testimony.**

Dear Judge Kinsey,

Zayo Group, LLC ("Zayo") respectfully submits this letter to correct certain facts provided in testimony in the above captioned proceeding which were later determined to be incorrect as given.

On July 6, 2011, my testimony was given as a witness for Zayo in a hearing in the above referenced proceeding in which I stated that the *pro forma* intra-corporate mergers described and approved by the Commission on May 27, 2011 in related Docket No. 11-0097 (the "Transactions")<sup>1</sup> would be completed immediately upon the granting of the CC&N in the above-referenced Docket. Following the submission of such testimony, I learned that this was incorrect and that the Transactions had been completed on June 30, 2011, notwithstanding that the Commission's approval of the *pro forma* Transactions was conditioned upon the granting of the CC&N to Zayo.

I want to assure the Commission that at the time of the testimony, neither I nor counsel representing Zayo at the hearing were aware that the *pro forma* Transactions had been completed. The testimony provided at the hearing, therefore, was truthful and accurate to the best of our respective knowledge at the time the testimony was given.

Subsequently, I learned that Zayo, through other outside transactional counsel proceeded with the consummation of the intra-corporate consolidation on June 30, 2011. Zayo's actions in implementing the *pro forma* Transactions resulted from a miscommunication within Zayo and to such outside counsel regarding the effective date of Decision No. 72393 approving the Transactions.

<sup>1</sup> See Decision No. 72393.



Zayo takes compliance with the Commission's orders very seriously, and as such, Zayo feels it is important to disclose this to the Commission to correct the factual record in this matter. I therefore respectfully apologize to the Commission for my incorrect testimony, for Zayo's premature closing of the *pro forma* reorganization transactions, and the lapse of internal communications which led to this situation. Further, I can assure the Commission that Zayo has implemented additional internal precautions to avoid such errors in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter E. Chevalier", written in a cursive style.

Peter E. Chevalier