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BEFORE THE ARIZONA CORPORATION COMMISSION

GARY PIERCE
Chairman

BOB STUMP
Commissioner

PAUL NEWMAN
Commissioner

SANDRA D. KENNEDY
Commissioner

BRENDA BURNS
Commissioner

Arizona Corporation Commission
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APPLICATION OF AMERICAN FIBER
SYSTEMS, INC. FOR APPROVAL TO
CANCEL ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY

Docket No. T-03980A-12-0460

**APPLICATION FOR CANCELLATION OF CERTIFICATE OF
CONVENIENCE AND NECESSITY**

American Fiber Systems, Inc. ("AFS" or "Company") hereby requests the Arizona Corporation Commission ("Commission") cancel its Certificate of Convenience and Necessity ("Certificate") as well as any approved tariff. In support of its request, the Company states the following:

1. AFS is a Delaware corporation and a wholly-owned indirect subsidiary of Zayo Group, LLC ("Zayo"). AFS's principal place of business is 400 Centennial Parkway, Suite 200, Louisville, Colorado 80027.

2. In Arizona, AFS is authorized to provide competitive facilities-based and resold local exchange, interexchange and exchange access telecommunications services pursuant to Decision No. 63936 issued in Docket No. T-03980A-01-0025.

1 3. The name and address of the Company's representatives to whom
2 correspondence and communications pertaining to this Application should be addressed are:

3 For Applicant:

4 Thomas H. Campbell
5 Michael T. Hallam
6 Lewis and Roca LLP
7 40 North Central Avenue
8 Phoenix, AZ 85004-4429
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 602-734-3886 (fax)
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10 With copies to:

11 Jean L. Kiddoo
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And:

 Jill Sandford
 Associate General Counsel
 Zayo Group, LLC
 360 Hamilton Avenue
 White Plains, NY 10601
 914-421-7585 (tel)
 914-421-6793 (fax)
 jill.sandford@zayo.com

18 4. The contact for any outstanding regulatory obligations of the Company is:

19 Tim Gentry
20 Corporate Controller
21 Zayo Group, LLC
22 400 Centennial Parkway, Suite 200
23 Louisville, CO 80027
 303-381-4662 (tel)
 303-226-5922 (fax)
 tim.gentry@zayo.com

24 5. The Company does not provide, and has never provided,
25 telecommunications services in Arizona and has no intention of doing so in the future.
26 The Company, therefore, no longer requires its Certificate. In addition, any requirement to

1 give prior written notice of AFS's cancellation of its Certificate is inapplicable in this
2 instance because AFS has no customers that receive service in Arizona. Accordingly,
3 AFS requests a waiver of that requirement. In addition, AFS has no outstanding
4 obligations to any Arizona customers in the form of deposits or pre-payments for services
5 which have not or will not be provided.
6

7 6. To the extent the Commission determines that R14-2-1107 applies to a
8 cancellation of a certificate where the public utility does not have any customers or
9 outstanding obligations to customers, AFS requests waiver of the publication
10 requirement.¹
11

12 7. Because the Company does not serve any customers or have any active
13 operations in Arizona, the Company respectfully submits that the cancellation of its
14 Certificate and withdrawal of its tariff(s) are reasonable and necessary.
15

16 8. AFS further requests that the Commission specifically authorize the
17 cancellation of its performance bond that the Commission required in Decision No. 63936.
18

19 American Fiber Systems, Inc. respectfully requests that the Commission grant this
20 Application and approve the cancellation of the Certificate of Convenience and Necessity
21 held by American Fiber Systems, Inc., the withdraw of its approved tariff(s) on file, and
22 the cancellation of AFS' performance bond, together with such other and further relief as
23 is necessary or convenient to affording the relief herein requested.
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¹ AFS also notes that numerous alternate providers of the service can be found on the Commission's website at www.azcc.gov.

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RESPECTFULLY SUBMITTED this 8th day of November, 2012.

LEWIS and ROCA, LLP



Thomas H. Campbell
Michael T. Hallam
40 N. Central Avenue
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(602) 262-5723
Attorneys for Applicant

ORIGINAL and thirteen (13) copies
of the foregoing filed
this 8th day of November, 2012, with:

The Arizona Corporation Commission
Utilities Division – Docket Control
1200 W. Washington Street
Phoenix, Arizona 85007

Copy of the foregoing hand-delivered
this 8th day of November, 2012, to:

Lyn Farmer
Chief Administrative Law Judge
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Phoenix, AZ 85007

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