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Counsel for AboveNet of Utah L.L.C.

**BEFORE THE
PUBLIC SERVICE COMMISSION OF UTAH**

Application of AboveNet of Utah L.L.C. To Voluntarily Surrender its Certificate of Convenience and Necessity	APPLICATION Docket No. _____
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APPLICATION

AboveNet of Utah L.L.C. (“ABN-UT” or “Applicant”), through its undersigned counsel and pursuant to the Rules of the Utah Public Service Commission (“Commission”), hereby request Commission approval to voluntarily surrender its Certificate of Convenience and Necessity (“Certificate”). ABN-UT does not currently provide telecommunications services to customers in the State of Utah and does not have plans to do so in the future.

Applicant respectfully requests that the Commission act expeditiously cancel ABN-UT’s Certificate prior to, but no later than, January 15, 2012. Applicant asserts that this request should be granted without hearing because the cancellation of ABN-UT’s Certificate will not detrimentally affect any Utah customers.

In addition, the Applicant states as follows:

1. AboveNet is a Delaware limited liability company with its principal business office located at 400 Centennial Parkway, Suite 200, Louisville, Colorado 80027. ABN-UT is a

wholly owned indirect subsidiary of Zayo Group, LLC. ABN-UT is authorized to provide local exchange and interexchange telecommunications service pursuant to Commission authorization granted in Docket No. 00-2324-01 on September 05, 2000.¹

2. For the purposes of this Application, contacts for the Applicant are as follows:

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360 Hamilton Avenue
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3. The Company's contact for any outstanding regulatory obligations is:

Tim Gentry
Corporate Controller
Zayo Group, LLC
400 Centennial Parkway, Suite 200
Louisville, CO 80027
303-381-4662 (tel)
303-226-5922 (fax)
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4. ABN-UT does not provide telecommunications services to any customers in the State of Utah and has no plans to do so in the future. Further, ABN-UT has no outstanding obligations to any Utah customers in the form of deposits or pre-payments for services which have not or will not be provided. ABN-UT, therefore, requests that the Commission cancel AboveNet's Certificate and withdraw any tariffs on file with the Commission, effective immediately or as soon as the Commission can take such action. Further, ABN-UT requests that the Commission return and permit cancellation of any bond or letter of credit (or similar security) that ABN-UT may have provided in connection with its Certificate.

¹ The authorization was originally granted in the name of Metromedia Fiber Network Fiber Services, Inc., which subsequently changed its name to AboveNet.

5. Because there is no controversy surrounding the Applicant's voluntary request to surrender its Certificate, it follows that good cause exists to grant Applicant's request. As for whether a hearing is necessary, Applicant believes that it is not because there is no genuine issue of material fact as to whether the Certificate should be cancelled and a hearing is unnecessary.

6. Applicant submits that the voluntary surrender of its Certificate is reasonable, necessary and not disruptive to the present or future public interest, convenience and necessity of the State of Utah.

WHEREFORE, Applicant respectfully requests that the Commission issue an Order canceling Applicant's Certificate on an expedited basis.

Respectfully submitted,

By: /s/ Brett P. Ferenchak
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COUNSEL FOR ABOVE NET OF UTAH L.L.C.

Dated: November 16, 2012