



State of Utah
Department of Commerce
Division of Public Utilities

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MEMORANDUM

To: Public Service Commission

From: Division of Public Utilities
Chris Parker, Director
Bill Duncan, Telecommunications / Water Manager
Ron Slusher, Utility Technical Consultant

Date: December 03, 2012

Re: In the Matter In the Matter of the Application of AboveNet of Utah L.L.C. to Voluntarily Surrender its Certificate of Convenience and Necessity, Docket Number 12-2324-01.

RECOMMENDATION (Approval):

The Division has reviewed the request by AboveNet of Utah L.L.C to have their Certificate of Public Convenience and Necessity to provide Local Exchange Services in the State of Utah cancelled and recommends the Commission grant this request.

For business purposes, the company asks that the Commission grant this request not later than January 15, 2012.

EXPLANATION:

On or about November 19, 2012, AboveNet of Utah L.L.C, (“AboveNet”), filed with the Commission a request to Voluntarily Surrender its Certificate of Convenience and Necessity. The Division has reviewed this request and found the following:

AboveNet is a Delaware limited liability company with its principal business office located at 400 Centennial Parkway, Suite 200, Louisville, Colorado 80027 and is a wholly owned indirect subsidiary of Zayo Group, LLC.

AboveNet was issued a Certificate to provide telecommunications services in Utah on September 05, 2000 in Docket No. 00-2324-01.

AboveNet states that they currently do not provide telecommunication services in the states of Utah and have no plans in the future to do so.

It appears they have complied with the rules for exiting as required under Administrative Rule R746-350.

cc: Jean L. Kiddoo, Counsel for AboveNet of Utah LLC, Bingham McCutchen, LLP
Justin Jetter, Assistant Attorney General, State of Utah
Patricia Schmid, Attorney, State of Utah
Eric Orton, Utility Analyst, Office of Consumer Services, State of Utah