

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Application of AMERICAN)
FIBER NETWORK, INC., for a Certificate of Public)
Convenience and Necessity to Provide Local)
Exchange Services within the State of Utah)

DOCKET NO. 00-2306-01
REPORT AND ORDER

ISSUED: June 1, 2000

SYNOPSIS

The Commission ordered transfer to Applicant of a certificate previously issued to an affiliate.

By The Commission:

PROCEDURAL HISTORY

On January 10, 2000, Applicant above-named filed its application for a Certificate of Convenience and Necessity to provide local exchange telephone service. On November 2, 1998, an affiliate, AFN Consultants, Inc., had filed an identical application. Buried in the body of the instant application, Applicant asked that AFN Consultants, Inc.'s application be withdrawn. Through oversight, the Commission issued a Certificate to AFN Consultants, Inc., May 4, 2000.

Rather than cancel the Certificate of AFN Consultants, Inc., since the two entities are closely affiliated, we have determined to transfer the Certificate of AFN Consultants, Inc., to Applicant. Accordingly we enter the following

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

Certificate of Public Convenience and Necessity No. 2268, issued May 4, 2000, to AFN Consultants, Inc., be and it is, renumbered to 2306 and transferred to American Fiber Network, Inc., on the identical terms and conditions as the original grant. Said transfer be, and it is, effective the date of this order.

Any person aggrieved by this Order may petition the Commission for review within 20 days of the date of this Order. Failure to do so will forfeit the right to appeal to the Utah Supreme Court.

DATED at Salt Lake City, Utah, this 1st day of June, 2000.

/s/ A. Robert Thurman
Administrative Law Judge

Approved and Confirmed this 1st day of June, 2000, as the Report and Order of the Public Service Commission of Utah.

/s/ Stephen F. Mecham, Chairman

/s/ Constance B. White, Commissioner

/s/ Clark D. Jones, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary