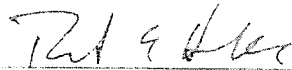


ATTACHMENT 1
AFFIDAVIT

I, Robert Heath, do hereby attest under the penalty of perjury that as Executive Vice President of American Fiber Network, Inc. ("AFN"), I have authority to bind AFN and hereby certify as true that:

I have read the foregoing Application and know the contents thereof; that said contents are true, accurate, and correct in substance and in fact to the best of my knowledge, information, and belief.



Robert Heath

Executed December 17, 2010