



State of Utah  
Department of Commerce  
Division of Public Utilities

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THAD LEVAR  
*Deputy Director*

THAD LEVER  
*Interim Director, Division of Public Utilities*

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*Lieutenant Governor*

**MEMORANDUM**

**To:** Public Service Commission

**From:** Division of Public Utilities  
Thad Levar, Interim Director  
Bill Duncan, Telecommunications / Water Manager  
Ron Slusher, Utility Technical Consultant

**Date:** January 06, 2011

**Re:** In the Matter of the Application of American Fiber Network, Inc. to cancel their Certificate of Public Convenience and Necessity to provide Local Exchange Services in the State of Utah Docket No. 10-2306-02.

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**RECOMMENDATION (Approval):**

The Division has reviewed the request by American Fiber Network, Inc. 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.

**EXPLANATION:**

On December 27, 2010 American Fiber Network, Inc. ("AFN"), filed with the Commission a request to have their Certificate of Public Convenience and Necessity cancelled. The Division has reviewed this request and found the following:

AFN was issued a Certificate to provide telecommunications services in Utah on June 01, 2000 in Docket No. 00-2306-01. AFN states that they currently provide local, long distance, voice over Internet protocol, and pay phone services to 218 customers in Utah, all within Qwest territories. AFN has decided to exit the telecommunication industry and On December 15, 2010 started notifying their customers of its decision in accordance with Administrative Rule R746-350 (see attached notifications).

The Division has reviewed AFN's application and it appears they have complied with the rules for exiting as required under Administrative Rule R746-350. Therefore, the Division recommends the Commission approve AFN's request to cancel their Certificate of Public Convenience and Necessity.

cc: Robert Heath, Executive Vice President, American Fiber Network, Inc.  
Patricia Schmid, Attorney, State of Utah