

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Application of Metromedia )  
Fiber Network Services, Inc. of Utah, LLC (MFN) )  
for a Certificate of Public Convenience and )  
Necessity to Provide Local Exchange, Exchange )  
Access and Interexchange Services within the )  
State of Utah )

DOCKET NO. 00-2324-01  
REPORT AND ORDER

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ISSUED: December 16, 2003

SYNOPSIS

MFN of Utah, L.L.C. having applied to change its name to AboveNet of Utah, L.L.C., the Commission so orders.

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By The Commission:

PROCEDURAL HISTORY

On November 4, 2003, MFN of Utah, L.L.C. (MFN Utah) filed an application for authority to change its name to AboveNet of Utah, L.L.C. The application states that MFN Utah is currently authorized to provide facilities-based and resold interexchange, local exchange and exchange access telecommunications services to customers with the State of Utah. This name change is related to the transfer of control of MFN Utah from its indirect corporate parent, Metromedia Fiber Network, Inc., Debtor-In-Possession, to a newly reorganized Metromedia Fiber Network, Inc. (renamed, AboveNet, Inc.). The transfer of control was approved by the Commission on July 7, 2003 in Docket No. 03-2324-01. The transfer of control was in accordance with a plan of reorganization for the emergence of MFN Utah from Chapter 11 bankruptcy as approved by the bankruptcy court on August 21, 2003.

The name change will not result in a change in the carrier offering telecommunications services to consumers in Utah, or in the telecommunications services, rates, terms and conditions of service that currently are offered to consumers in Utah. The name change will have no adverse impact on current customers of MFN Utah. All customers have been notified of the reorganization and the name change. Upon the Commission's approval of the name change, a revised tariff will be filed that reflects the name change and the appropriate effective date.

The Commission has received a memorandum from the Utah Division of Public Utilities (Division) stating that the new name has been filed with the Division of Corporations and Commercial Code in the Utah Department of Commerce and the old name has expired. The Division therefore recommends that the Commission allow MFN of Utah, L.L.C. to change its name to AboveNet of Utah, L.L.C.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

Certificate of Public Convenience and Necessity No. 2324 held by MFN of Utah, L.L.C. be amended to change the name to AboveNet of Utah, L.L.C.

The company is ordered to file a revised tariff that reflects the name change and the appropriate effective date.

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 16<sup>th</sup> day of December 2003.

/s/ Ric Campbell, Chairman

/s/ Constance B. White, Commissioner

/s/ Ted Boyer, Commissioner

Attest:

/s/ Julie Orchard  
Commission Secretary

G#36316