

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Section 63.71 and 63.19 Application of) WC Docket No. _____
American Fiber Network, Inc. For Authority)
Pursuant to Section 214 of the Communications)
Act of 1934, to Discontinue the Provision of)
Service)
_____)

SECTION 63.71 AND SECTION 63.19 APPLICATION OF AMERICAN FIBER NETWORK, INC.

American Fiber Network, Inc. (“AFN”) hereby submits this application for authority under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and Sections 63.71 and 63.19 of the Commission’s rules, 47 C.F.R. §§ 63.71 and 63.19, to discontinue the provision of interstate and international services. In support of this application, AFN submits the following:

1. Name and Address of Carrier (47 C.F.R. §§ 63.71(a)(1) and (b)(2))

American Fiber Network, Inc.
9401 Indian Creek Parkway
Suite 208
Overland Park, KS 66210

2. Date of Planned Discontinuance (47 C.F.R. §§ 63.71(a)(2) and (b)(2))

AFN will discontinue service on or after January 21, 2011.

3. Points of Geographic Areas of Service Affected (47 C.F.R. §§ 63.71(a)(3) and (b)(2))

American Fiber Network, Inc. plans to discontinue the provision of interstate and international service in Arizona, Arkansas, Connecticut, Hawaii, Idaho, Nevada, North Dakota, Oklahoma, South Dakota, Utah, and Wyoming.

4. Brief Description of Type of Service Affected (47 C.F.R. §§ 63.71(a)(4) and (b)(2))

AFN provides resold local exchange services to residential and business customers in Arizona, Arkansas, Connecticut, Nevada, Oklahoma, and Utah.

AFN provides resold long distance services to residential and business customers in Arizona, Arkansas, Connecticut, Hawaii, Idaho, Nevada, North Dakota, Oklahoma, South Dakota, Utah, and Wyoming.

AFN provides payphone access line services in Arizona, Arkansas, Connecticut, Idaho, North Dakota, Oklahoma, South Dakota, Utah, and Wyoming.

AFN also provides interconnected voice over Internet Protocol services (“VoIP”) in Utah.

5. Brief Description of the Dates and Methods of Notice to All Affected Customers (47 C.F.R. § 63.71(b)(3))

AFN has provided customers notification of this discontinuance through letters sent December 15, 2010. Copies of customer notifications are included as Exhibit A.

Copies of this Application are being sent via first class U.S. Mail to the governors and public utilities commissions of the states listed above and the Special Assistant for Telecommunications to the Secretary of Defense. Because AFN also seeks to discontinue the provision of international services through AFN’s international Section 214 authorization, IBFS No. ITC-214-19990908-00561, copies of this Application are also being sent to the Chief of the International Bureau.

6. Regulatory Classification of Carrier (47 C.F.R. § 63.71(b)(4)):

AFN is non-dominant with respect to the services that it proposes to discontinue.

Conclusion

AFN respectfully requests that the Commission approve this Application.

Respectfully submitted,

AMERICAN FIBER NETWORK, INC.

/s/ Robert Heath

Robert Heath
American Fiber Network, Inc.
9401 Indian Creek Parkway
Suite 280
Overland Park, KS 66210
1. 877.877.3166

Dated: December 20, 2010

CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2010, I caused a true and correct copy of the foregoing to be served by first-class mail on the following:

Arizona

Arizona Corporation Commission
1200 West Washington
Phoenix, AZ 85007-2996

The Honorable Jan Brewer
Office of the Governor
1700 West Washington
Phoenix, Arizona 85007

Arkansas

Arkansas Public Service Commission
P.O. Box 400
Little Rock, AR 72203-0400

The Honorable Mike Beebe
Office of the Governor
State Capitol, Room 250
Little Rock, AR 72201

Connecticut

Connecticut Department of Public Utility
Control
Ten Franklin Square
New Britain, CT 06051

The Honorable M. Jodi Rell
Office of the Governor
State Capitol
210 Capitol Avenue
Hartford, CT 06106

Hawaii

Hawaii Public Utilities Commission
Department of Budget and Finance
465 South King Street, #103
Honolulu, Hawaii 96813

The Honorable Neil Abercrombie
Governor, State of Hawai'i
Executive Chambers, State Capitol
Honolulu, Hawaii 96813

Idaho

Idaho Public Utilities Commission
P.O. Box 83720
Boise, ID 83720-0074

The Honorable C.L. Otter
Office of the Governor
P.O. Box 83720
Boise, ID 83720

Nevada

Public Utilities Commission of Nevada
1150 E. William Street
Carson City, NV 89701-3109

The Honorable Jim Gibbons
Office of the Governor
State Capitol
101 N. Carson Street
Carson City, NV 89701

North Dakota

North Dakota Public Service Commission
600 East Boulevard
Department 408
Bismarck, ND 58505-0480

The Honorable Jack Dalrymple
Office of Governor
600 East Boulevard Avenue
Bismarck, ND 58505-0100

Oklahoma

Oklahoma Corporation Commission
P.O. Box 52000
Oklahoma City, OK 73152-2000

The Honorable Brad Henry
State Capitol Building
2300 N. Lincoln Blvd., Room 212
Oklahoma City, OK 73105

South Dakota

Public Utilities Commission
Capitol Building, 1st Floor
500 E. Capitol Ave.
Pierre, SD 57501-5070

The Honorable Mike Rounds
Office of the Governor
500 E. Capitol Ave.
Pierre, SD 57501

Utah

Utah Public Service Commission
Heber M. Wells Building
160 East 300 South
Salt Lake City, UT 84114

The Honorable Gary R. Herbert
Office of the Governor
Utah State Capitol Complex
350 North State Street, Suite 200
PO Box 142220
Salt Lake City, Utah 84114-2220

Wyoming

Wyoming Public Service Commission
Hansen Building
2515 Warren Avenue Suite 300
Cheyenne, WY 82002

The Honorable Dave Freudenthal
Office of the Governor
State Capitol
200 West 24th Street
Cheyenne, WY 82002-0010

/s/ Colleen King
Colleen King

Exhibit A

Dear Customer,

This letter will serve as formal notice that American Fiber Network, Inc. will discontinue its provision of all services (local, long distance, payphone, and Internet) in Arizona on February 20, 2011, subject to approval from the Arizona Corporation Commission.

American Fiber Network, Inc. is providing you with notice of our discontinuance of service in order to ensure that you will have ample time to make other arrangements for replacement service. Please note that services will not be transferred automatically to another carrier. In order for you to maintain uninterrupted service, you must make arrangements with an alternative service provider well in advance of the termination date. You should begin that process immediately. Lists of alternate service providers are available at <http://www.azcc.gov/divisions/utilities/UTILITYLIST.asp>.

The Federal Communications Commission (“FCC”) will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the FCC releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of American Fiber Network, Inc. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

If you have any questions, please contact American Fiber Network, Inc.:

American Fiber Network, Inc.
9401 Indian Creek Parkway
Suite 208
Overland Park, KS 66210
1.877.812.5673

Dear Customer,

This letter will serve as formal notice that American Fiber Network, Inc. will discontinue its provision of all services, including local, long distance, Internet and payphone services in Arkansas on January 21, 2011.

American Fiber Network, Inc. is providing you with notice of our discontinuance of service in order to ensure that you will have ample time to make other arrangements for replacement service. Please note that services will not be transferred automatically to another carrier. In order for you to maintain uninterrupted service, you must make arrangements with an alternative service provider well in advance of the termination date. You should begin that process immediately.

The Federal Communications Commission (“FCC”) will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the FCC releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of American Fiber Network, Inc. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

If you have any questions, please contact American Fiber Network, Inc.:

American Fiber Network, Inc.
9401 Indian Creek Parkway
Suite 208
Overland Park, KS 66210
1.877.812.5673

Dear Customer,

This letter will serve as formal notice that American Fiber Network, Inc. will discontinue its provision of all services (local, long distance, voice over Internet protocol, payphone services and Internet) in Connecticut on March 10, 2011, subject to approval from the Connecticut Department of Public Utility Control.

American Fiber Network, Inc. is providing you with notice of our discontinuance of service in order to ensure that you will have ample time to make other arrangements for replacement service. Please note that services will not be transferred automatically to another carrier. In order for you to maintain uninterrupted service, you must make arrangements with an alternative service provider well in advance of the termination date. You should begin that process immediately.

The Federal Communications Commission (“FCC”) will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the FCC releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of American Fiber Network, Inc. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

If you have any questions, please contact American Fiber Network, Inc.:

American Fiber Network, Inc.
9401 Indian Creek Parkway
Suite 208
Overland Park, KS 66210
1.877.812.5673

Dear Customer,

This letter will serve as formal notice that American Fiber Network, Inc. (“AFN”) will discontinue its provision of all services (local, long distance, Internet and voice over Internet Protocol) in Hawaii on January 21, 2011.

AFN is providing you with notice of our discontinuance of service in order to ensure that you will have ample time to make other arrangements for replacement service. Please note that services will not be transferred automatically to another carrier. In order for you to maintain uninterrupted service, you must make arrangements with an alternative service provider well in advance of the termination date. You should begin that process immediately.

The Federal Communications Commission (FCC) will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the FCC releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of AFN. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

If you have any questions, please contact AFN:

American Fiber Network, Inc.
9401 Indian Creek Parkway
Suite 208
Overland Park, KS 66210
1.877.812.5673

Dear Customer,

This letter will serve as formal notice that American Fiber Network, Inc. (“AFN”) will discontinue its provision of all services (local, long distance, payphone, Internet and voice over Internet Protocol) in Idaho on January 21, 2011, subject to the approval of the Idaho Public Utilities Commission.

AFN is providing you with notice of our discontinuance of service in order to ensure that you will have ample time to make other arrangements for replacement service. Please note that services will not be transferred automatically to another carrier. In order for you to maintain uninterrupted service, you must make arrangements with an alternative service provider well in advance of the termination date. You should begin that process immediately.

The Federal Communications Commission (FCC) will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the FCC releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of AFN. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

If you have any questions, please contact AFN:

American Fiber Network, Inc.
9401 Indian Creek Parkway
Suite 208
Overland Park, KS 66210
1.877.812.5673

Dear Customer,

This letter will serve as formal notice that American Fiber Network, Inc. (“AFN”) will discontinue its provision of all communications services, including local, long distance, Internet, VoIP, and payphone services, in Nevada on January 21, 2011.

AFN is providing you with notice of our discontinuance of service in order to ensure that you will have ample time to make other arrangements for replacement service. Please note that services will not be transferred automatically to another carrier. In order for you to maintain uninterrupted service, you must make arrangements with an alternative service provider well in advance of the termination date. You should begin that process immediately.

The Federal Communications Commission (“FCC”) will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the FCC releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of AFN. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

If you have any questions, please contact AFN:

American Fiber Network, Inc.
9401 Indian Creek Parkway
Suite 208
Overland Park, KS 66210
1.877.812.5673

Dear Customer,

This letter will serve as formal notice that American Fiber Network, Inc. (“AFN”) will discontinue its provision of all communications services, including local, long distance, Internet, VoIP, and payphone services, in North Dakota on January 21, 2011.

AFN is providing you with notice of our discontinuance of service in order to ensure that you will have ample time to make other arrangements for replacement service. Please note that services will not be transferred automatically to another carrier. In order for you to maintain uninterrupted service, you must make arrangements with an alternative service provider well in advance of the termination date. You should begin that process immediately.

The Federal Communications Commission (“FCC”) will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the FCC releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of AFN. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

If you have any questions, please contact AFN:

American Fiber Network, Inc.
9401 Indian Creek Parkway
Suite 208
Overland Park, KS 66210
1.877.812.5673

Dear Customer,

This letter will serve as formal notice that American Fiber Network, Inc. (“AFN”) will discontinue its provision of all services, including local, long distance, Internet, VoIP, and payphone services, in Oklahoma on January 21, 2011.

AFN is providing you with notice of our discontinuance of service in order to ensure that you will have ample time to make other arrangements for replacement service. Please note that services will not be transferred automatically to another carrier. In order for you to maintain uninterrupted service, you must make arrangements with an alternative service provider well in advance of the termination date. You should begin that process immediately.

The Federal Communications Commission will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of AFN. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

If you have any questions, please contact AFN:

American Fiber Network, Inc.
9401 Indian Creek Parkway
Suite 208
Overland Park, KS 66210
1.877.812.5673

Dear Customer,

This letter will serve as formal notice that American Fiber Network, Inc. (“AFN”) will discontinue its provision of all services, including local, long distance, Internet, VoIP, and payphone services, in South Dakota on January 21, 2011.

AFN is providing you with notice of our discontinuance of service in order to ensure that you will have ample time to make other arrangements for replacement service. Please note that services will not be transferred automatically to another carrier. In order for you to maintain uninterrupted service, you must make arrangements with an alternative service provider well in advance of the termination date. You should begin that process immediately.

The Federal Communications Commission (“FCC”) will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the FCC releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of AFN. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

If you have any questions, please contact AFN:

American Fiber Network, Inc.
9401 Indian Creek Parkway
Suite 208
Overland Park, KS 66210
1.877.812.5673

Dear Customer,

This letter will serve as formal notice that American Fiber Network, Inc. (“AFN”) will discontinue its provision of all services, including local, long distance, Internet, VoIP, and payphone services, in Utah on February 10, 2011.

AFN is providing you with notice of our discontinuance of service in order to ensure that you will have ample time to make other arrangements for replacement service. Please note that services will not be transferred automatically to another carrier. In order for you to maintain uninterrupted service, you must make arrangements with an alternative service provider well in advance of the termination date. You should begin that process immediately.

The Federal Communications Commission (“FCC”) will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the FCC releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of AFN. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

If you have any questions regarding the information above, customer refunds, or finding replacement providers, please contact AFN:

American Fiber Network, Inc.
9401 Indian Creek Parkway
Suite 208
Overland Park, KS 66210
1.877.812.5673

Dear Customer,

This letter will serve as formal notice that American Fiber Network, Inc. (“AFN”) will discontinue its provision of all services, including local, long distance, Internet, VoIP, and payphone services, in Wyoming on January 21, 2011.

AFN is providing you with notice of our discontinuance of service in order to ensure that you will have ample time to make other arrangements for replacement service. Please note that services will not be transferred automatically to another carrier. In order for you to maintain uninterrupted service, you must make arrangements with an alternative service provider well in advance of the termination date. You should begin that process immediately.

The Federal Communications Commission will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the FCC releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of AFN. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

If you have any questions, please contact AFN:

American Fiber Network, Inc.
9401 Indian Creek Parkway
Suite 208
Overland Park, KS 66210
1.877.812.5673