



U.S. Department of Justice

National Security Division

Assistant Attorney General

Washington, D.C. 20530

March 24, 2008

By E-File

Ms. Marlene H. Dortch
Federal Communications Commission
445 12th St. SW, Room TW-B204
Washington, DC 20554

Re: USCTH/USC/AFS
WC Docket No. 08-1
DA 08-549; ITC-T/C-20080111-00011

Dear Ms. Dortch:

The Department of Justice (“DOJ”), together with the Federal Bureau of Investigation (“FBI”) and the Department of Homeland Security (“DHS”), hereby request that the Federal Communications Commission (“Commission”) defer action on the application of USCarrier Telecom Holdings, LLC (“USCTH”), USCarrier Telecom, LLC (“USC”) and American Fiber Systems, Inc. (“AFS) (together, the “Applicants”) to transfer control of domestic and international authorizations under section 214 of the Communications Act of 1934 held by USC. We ask that the Commission defer these actions until such time as DOJ, DHS and the FBI: (i) notify the Commission that potential national security, law enforcement, and public safety issues raised by the application have or have not been resolved; and (ii) on that basis, request appropriate action by the Commission. Necessarily, DOJ, DHS and the FBI also request that the Commission remove the application from streamlined processing.

After receiving notice of the application, DOJ has been in contact with the Applicants to request information related to national security, law enforcement, and public safety concerns. The Applicants have only recently responded to those requests, and DOJ, DHS and FBI accordingly require additional time to review those responses. DOJ, DHS and the FBI will conduct their review expeditiously and advise the Commission promptly upon its completion.

Thank you for your consideration.

Sincerely,

/s/ JOHN CONNORS
John Connors
U.S. Department of Justice

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