

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF AMERICAN FIBER)
SYSTEMS, INC.'S REQUEST FOR) **CASE NO. AFS-T-07-01**
CANCELLATION OF CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY NO. 427) **ORDER NO. 32114**
)

On November 8, 2010, American Fiber Systems, Inc. requested that its Certificate of Public Convenience and Necessity (CPCN) No. 427 issued by the Commission on May 11, 2004, be withdrawn. American Fiber stated it does not provide local exchange services in Idaho and does not intend to do so in the future. In its Decision Meeting on November 9, 2010, the Commission approved the cancellation of Certificate No. 427.

COMMISSION FINDINGS

In March 2004, IDACOMM, Inc. filed an Application with the Commission requesting authority to provide telecommunications services within the State of Idaho, and in May 2004, the Commission granted IDACOMM's Application for a CPCN. Order No. 29494, Case No. IZ2-T-04-01.

In October 2007, American Fiber Systems, Inc. filed a request to transfer IDACOMM's Certificate No. 427 to American Fiber. The Commission granted American Fiber's request to transfer the CPCN from IDACOMM to American Fiber and Certificate No. 427 was amended and issued to American Fiber Systems, Inc. Order No. 30425, Case No. AFS-T-07-01.

On November 8, 2010, American Fiber notified the Commission that it is not providing telecommunications services in Idaho and does not plan to provide telecommunications services in the future and requested that its Certificate be withdrawn. American Fiber also stated that it does not serve any local exchange customers in Idaho, therefore no customers will be affected by the cancellation of American Fiber's Certificate. Accordingly, Staff recommended the Commission cancel Certificate No. 427 and remove the Company's price list or tariff on file.

ORDER

IT IS HEREBY ORDERED that American Fiber Systems, Inc.'s Certificate of Public Convenience and Necessity No. 427 is cancelled. Certificate No. 427 is no longer in effect, and American Fiber is no longer authorized to provide telecommunications services in the State of Idaho.

THIS IS A FINAL ORDER. Any person interested in this Order or in interlocutory Orders previously issued in this case may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in this Order or in interlocutory Orders previously issued in this case. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. See *Idaho Code* §§ 62-619 and 61-626.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 17th day of November 2010.


JIM D. KEMPTON, PRESIDENT


MARSHA H. SMITH, COMMISSIONER


MACK A. REDFORD, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary

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