

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04A-418T

IN THE MATTER OF THE APPLICATION OF AMERICAN FIBER NETWORK, INC.,
DOING BUSINESS AS AFN, INC., FOR A CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY TO PROVIDE LOCAL EXCHANGE TELECOMMUNICATIONS
SERVICES AND LETTER OF REGISTRATION TO PROVIDE EMERGING COMPETITIVE
TELECOMMUNICATIONS SERVICES.

**ORDER GRANTING MOTION TO
WITHDRAW APPLICATION**

Mailed Date: August 30, 2004

Adopted Date: August 25, 2004

I. BY THE COMMISSION

A. Statement and Findings of Fact

1. On August 10, 2004, American Fiber Network, Inc. (AFN), filed an application for a Certificate of Public Convenience and Necessity (CPCN) to provide local exchange telecommunications services.

2. On August 16, 2004, the Commission received a letter from AFN indicating it wished to withdraw its application. AFN represented it will be filing an application for a transfer of authority to provide local exchange telecommunications services in lieu of an application for a new CPCN. We will construe AFN's letter as a motion to withdraw its CPCN application and finding good cause exists, will grant the motion.

II. ORDER

A. The Commission Orders That:

1. The letter of American Fiber Network, Inc., to withdraw its application for a Certificate of Public Convenience and Necessity is construed as a motion to withdraw and is granted.

2. The above indicated docket is closed.

3. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
August 25, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners