

THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

Before Commissioners:                      Chairman Mark Sievers  
   Ward Loyd  
   Thomas E. Wright

In the Matter of the Cancellation of the )  
Certificate of Convenience and Authority ) Docket No. 12-AFIT-590-CCS  
Previously Granted to American Fiber Network, )  
Inc. )

**ORDER ASSESSING COSTS**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and determination. Having examined its files and records and being fully advised in the premises, the Commission finds and concludes as follows:

1. K.S.A. 66-1502 authorizes the Commission to assess the expenses of an investigation, opened on its own motion, against public utilities if the expenses reasonably attributable to such investigation exceed the sum of \$100. The Commission will utilize members of its Staff in this investigation, and as deemed appropriate by the Commission, employ special assistants and consultants to investigate all matters connected with this proceeding. The Commission finds that the expenses reasonably attributable to this investigation will exceed \$100. The Commission concludes that the costs of this proceeding should be assessed to American Fiber Network, Inc. This order constitutes notice of the assessment of costs and the assessment will begin three days after the date this order is mailed. American Fiber Network, Inc. is given notice that it may request a hearing as to the necessity of the investigation or the

assessment of costs, in accordance with the provisions of the Kansas Administrative Procedure Act.


IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

- A. American Fiber Network, Inc. is assessed the costs of this investigation.
- B. The parties have fifteen days, plus three days if service of this order is by mail, from the date this order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 2010 Supp. 77-529(a)(1).
- C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Sievers, Chmn; Loyd, Com.; Wright, Com.

Dated: FEB 08 2012

  
ORDER MAILED FEB 08 2012  
Patrice Petersen-Klein  
Executive Director

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
DOUGLAS BETHELL, PRESIDENT/CEO AMERICAN FIBER NETWORK, INC. D/B/A AFN 4885 RIVERSIDE DR STE 304 MACON, GA 31210-1148		
OTTO NEWTON, LITIGATION COUNSEL 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604 ***Hand Delivered***		

ORDER MAILED FEB 08 2012

The Docket Room hereby certified that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.