

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-3868
of United Systems Access, Inc.,)
Kennebunk, Maine, and American)
Fiber Network, Inc., Washington,)
D.C., seeking transfer of) AMENDED ORDER
control of American Fiber)
Networks, Inc., to United)
Systems Access, Inc.)
) Entered: April 8, 2008

BY THE COMMISSION:

O P I N I O N A N D F I N D I N G S

On October 9, 2007, an application was filed by United Systems Access, Inc., (United) Kennebunk, Maine, to complete a transfer of control of American Fiber Network, Inc. (American), Washington, D.C. The transfer of control application was approved by the Commission on November 20, 2007 in Docket C-3868.

On April 4, 2008, the Commission received a letter from MobilePro Corporation (MobilePro), the parent company of American, that the proposed transfer of control has been terminated.

American is a local exchange carrier and interexchange carrier in Nebraska authorized to provide such services by Docket C-3726. American is a wholly-owned subsidiary of MobilePro. MobilePro is a Delaware corporation principally located in Ohio.

United is a Delaware corporation principally located in the state of Maine. United does not possess a certificate to provide telecommunication services in Nebraska.

Per the application filed on October 9, 2007, MobilePro and United were to have entered into an agreement to transfer control of American to United.

After granting approval for the transfer of control the deal was terminated prior to closing. American will remain a wholly-owned subsidiary of MobilePro and retain its authorization to provide local exchange and interexchange service in Nebraska originally granted in Docket C-3726. No change of control will occur.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Commission's previous Order be, and it is hereby, amended to reflect the declaration of the parties that the transfer of control was not completed.

IT IS FURTHER ORDERED that the prior approval granted in Docket C-3868 on November 20, 2007, is rescinded.

MADE AND ENTERED at Lincoln, Nebraska, this 8th day of April, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Commission's previous Order be, and it is hereby, amended to reflect the declaration of the parties that the transfer of control was not completed.

IT IS FURTHER ORDERED that the prior approval granted in Docket C-3868 on November 20, 2007, is rescinded.

MADE AND ENTERED at Lincoln, Nebraska, this 8th day of April, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Gerald L. Up
Tim Schram

//s// Anne C. Boyle
//s// Frank E. Landis

Anne C. Boyle
Chair

ATTEST:

Neil S. H. J.
Executive Director