1776 K Street NW Suite 700 Washington, DC 20006

Jennifer L. Phurrough phurrough@l-olaw.com

October 2, 2006

Via Overnight Delivery

Sharla Dillon Docket Room Manager Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243-0505

> RE: Docket 06-00234; Joint Petition of DSLnet Communications LLC and MDS Acquisition, Inc. for Approval of Transfer of Control

Dear Ms. Dillon:

This letter responds to the September 26, 2006, Data Request No. 1 from Mr. Jerry Kettles, Chief, Economic Analysis & Policy Division, Tennessee Regulatory Authority, requesting additional information regarding the Joint Petition of DSLnet Communications, LLC ("DSLnet") and MDS Acquisition, Inc. ("MDSAI," collectively "Petitioners") dated September 13, 2006, for Approval of Transfer of Control of DSLnet's parent, DSLnet, Inc., to MDSAI.

The following respond to the questions contained in Data Request No. 1:

- 1. The anticipated closing date is December 1, 2006.
- 2. Petitioners have filed transfer of control applications and notices in all states in which DSLnet is certificated. DSLnet is not certificated in Alaska or Colorado.

See Exhibit 1 for detailed information regarding applications and notices.

3. Petitioners have filed with the Federal Communications Commission ("FCC") on September 11, 2006, an Application for Transfer of Control of DSLnet's Domestic and International Section 214 Authorization. Petitioners received a request for additional data from the FCC on September 19, 2006. Petitioners expect this application to be put on Public Notice within the next week, which will start the 15 and 30-day approval clocks.

Fax 202/887-6231 R.A. DOCKET ROOM

Tel 202/887-6230

Dkt. 06-00234, *Data Request No. 1* October 2, 2006 Page 2

Thirteen copies are included herein. Please date-stamp the stamp-and-return copy and return it in the self-addressed envelope. Should you have any questions with respect to this filing, please do not hesitate to contact the undersigned at (202) 887-6230.

Respectfully submitted,

Jennifer L. Phulfough

Counsel for MDS Acquisition, Inc.

Enclosure

Data Request No. 1- Exhibit 1 October 2, 2006

State Transfer of Control Applications	
	Data Request: 09/19/06
CA	Filed: 09/22/06
DE	Filed: 09/14/06
	Approval recommended by staff: 09/18/06
	Approval by: 10/03/06
HI	Filed: 09/15/06
KS	Filed: 09/15/06
LA	Filed: 09/08/06
MN	Filed: 09/13/06
	Data Request: 09/19/06
	Response: 09/26/06
МО	Filed: 09/28/06
MS	Filed: 09/19/06
NE	Filed: 09/15/06
NJ	Filed: 09/08/06
NY	Filed: 09/11/06
	Approval Expected:
	11/15/06
ОH	Filed: 09/15/06
PA	Filed: 09/08/06
TN	Filed: 09/14/06
	Data request: 09/26/06
TX	Filed: 09/21/06
	Procedural Order Issued: 09/22/06
	Approval by: 11/20/06
UT	Filed: 09/13/06

Data Request No. 1- Exhibit 1 October 2, 2006

VA	Filed: 09/21/06
WV	Filed: 09/20/06
WY	Filed: 09/18/06
	Letter received regarding corporate certification: 09/20/06

Notification letters have been or will be filed in the remaining states, except in Alaska, where DSLnet is not certified and does not transact business, and in Colorado, where certification is not required for the services DSLnet provides.