

TENNESSEE REGULATORY AUTHORITY



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September 23, 2010

Angela F. Collins, Counsel
Cahill Gordon & Reindel LLP
1990 K Street, NW, Suite 950
Washington, DC 20006

RE: Docket No. 10-00190: Joint Application of Birch Telecom of the South, Inc. d/b/a Birch Communications and American Fiber Network, Inc. for Approval to Transfer Assets and Customers of American Fiber Network, Inc. to Birch Telecom of the South, Inc. d/b/a Birch Communications

Dear Ms. Collins:

In order to review the above-referenced *Joint Application*, the Tennessee Regulatory Authority requires additional information. Please provide the information requested below by September 30, 2010, and refer to this correspondence as Data Request No. 1 in the response.

1. Provide the status of the FCC's review of the transaction described in the *Joint Application* along with the associated document number.
2. Provide a copy of the self-certification letter filed with the FCC in CC Docket No. 00-257 regarding transfer of customers.
3. Provide current organizational charts for Birch Telecom of the South, Inc. d/b/a Birch Communications and American Fiber Network, Inc. before and after the proposed transaction described in the *Joint Application*.
4. Please discuss the implications of the transaction described in the *Joint Application* on the public interest of Tennessee consumers?

If you have any questions, or need further assistance, please call Carlos Black at 615-741-2904, ext. 196 or e-mail him at Carlos.Black@tn.gov. Please respond by sending the original and 13 copies either by U.S. Mail or express mail. Alternatively, you may send the original and four (4) copies along with an electronic file to:

Ms. Sharla Dillon, Docket Room Manager
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505
Sharla.Dillon@tn.gov

Sincerely,

Jerry Kettles, Chief
Economic Analysis & Policy Division

C: Douglas C. Bethell

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