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Via Email and Overnight Courier

Chairman Eddie Roberson
c/o Sharla Dillon, Dockets and Record Manager
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505
Sharla.Dillon@tn.gov

**Re: American Fiber Systems, Inc.
Notification of Election to Operate Pursuant to Market Regulation**

Dear Chairman Roberson:

On behalf of American Fiber Systems, Inc. ("AFS"), this letter notifies the TRA that AFS elects to operate pursuant to market regulation in accordance with T.C.A. § 65-5-109. Until further notice and pursuant to T.C.A. § 65-5-109(t), AFS seeks to maintain, and does not withdraw, any tariffs file with the TRA.

AFS is authorized to provide facilities-based and resold telecommunications services in Tennessee pursuant to the TRA's Order Granting Certificate of Public Convenience and Necessity issued in Docket No. 00-00988 on January 24, 2001.

An original and four (4) copies of this letter are enclosed for filing. Please date-stamp the extra copy of this filing and return it in the envelope provided. Should you have any questions concerning this filing, please do not hesitate to contact Brett Ferenchak at 202-373-6697.

Respectfully submitted,



Jean L. Kiddoo
Brett P. Ferenchak

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