

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF)
ABOVENET COMMUNICATIONS, INC. F/K/A)
METROMEDIA FIBER NETWORK SERVICES,)
INC. FOR AUTHORITY TO ABANDON)
COMPETITIVE LOCAL EXCHANGE AND) PSC DOCKET NO. 12-511
INTEREXCHANGE INTRASTATE)
TELECOMMUNICATIONS SERVICES WITHIN)
THE STATE OF DELAWARE)
(FILED NOVEMBER 13, 2012))

ORDER NO. 8272

AND NOW, to-wit, this 8th day of January, 2013;

WHEREAS, on November 13, 2012, AboveNet Communications, Inc. f/k/a Metromedia Fiber Network ("AboveNet") filed a verified application seeking the authority to abandon telecommunications services within the State of Delaware (the "Application"); and

WHEREAS, pursuant to 26 Del. C. §203A, AboveNet was granted a Certificate of Public Convenience and Necessity ("CPCN") to provide competitive local exchange and interexchange intrastate telecommunications services by PSC Order No. 4857 (July 21, 1998) in PSC Docket No. 98-175; and

WHEREAS, 26 Del. C. §203A(c)(1) provides that no public utility shall abandon or discontinue, in whole or in part, any business, operations, or services provided under a CPCN or otherwise, which are subject to jurisdiction of the Commission without first having received Commission approval for such abandonment or discontinuance; and

WHEREAS, the Application requested that the Commission issue an Order canceling and terminating AboveNet's CPCN; and

WHEREAS, AboveNet has asserted that it has no customers in Delaware and no outstanding liabilities to any Delaware customers in the form of deposits or advanced payments for any of its services; and

WHEREAS, the Commission has determined that applications to terminate CPCNs granted to provide local exchange and competitive interexchange intrastate telecommunications services should be routinely approved upon the filing of a verified application and that, in a competitive market, such abandonment or discontinuance is presumptively reasonable, necessary, and not unduly disruptive to the present or future public convenience and necessity;

**NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE
VOTE OF NOT FEWER THAN THREE COMMISSIONERS:**

1. That, upon the express condition that the representations in the verified application of AboveNet Communications, Inc. f/n/a Metromedia Fiber Network Services, Inc. ("AboveNet") are true and correct, said application to abandon the provision of competitive local exchange and intrastate telecommunications services as a public utility filed by AboveNet is hereby granted and approved effective with the date of this Order.

2. That the Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

Chair

Commissioner

/s/ Joann T. Conaway
Commissioner

/s/ Jeffrey J. Clark
Commissioner

/s/ Jaymes B. Lester
Commissioner

ATTEST:

/s/ Kevin Neilson
Acting Executive Director