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STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE

THREE EMPIRE STATE PLAZA, ALBANY, NY 12223-1350

Internet Address: <http://www.dps.state.ny.us>

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January 8, 2002

Robert N. Beury, Jr.  
General Counsel  
Cogent Communications Group, Inc.  
1015 31<sup>st</sup> Street, N.W.  
Washington, D.C. 20007

Re: Case No. 99-C-0651

Dear Mr. Beury:

This is to advise you that Allied Riser of New York, Inc. and Cogent Communications Group, Inc.'s request for a certificate of public convenience and necessity to operate as a facilities-based common carrier and reseller of telephone services, including local exchange services (local dial-tone) within New York State, has been approved. This authority does not allow provision of emergency operator services in accordance with Part 649.6 of the Commission's rules.

You are required to file an initial tariff schedule within 60 days of the date of this certificate.

Under the Commission's Competition II Order, local exchange carriers are required to provide monthly service quality information to Department staff (see enclosure). In addition, facilities-based local exchange carriers are required to provide certain construction budget information annually as specified each December by the Director of the Office of Communications.

Before commencing construction of telephone lines pursuant to the authorization given by this certification, all required local consents and/or franchises must be obtained as set forth in Public Service Law §99(1), Transportation Corporations Law §27 and Commission rules and regulations, 16 NYCRR §21.1(f). Additionally, as a facilities-based common carrier, the company is subject to the standards and practices set forth in Chapter VI of the Commission rules and regulations.

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This certification is based upon the accuracy of information provided in Allied Riser of New York, Inc. and Cogent Communications Group, Inc.'s application, and such certification may be revoked if the company's application is found to have contained false or misleading information; Allied Riser of New York, Inc. and Cogent Communications Group, Inc.'s failure to file and/or maintain current tariffs; or, for violation of other Commission rules and regulations.

By direction and delegation  
of the Commission,

*Allan H. Bausback*

Allan H. Bausback  
Director  
Office of Communications

Enclosure

cc: Michael Carper, Esq.  
General Counsel  
Allied Riser Communications Corporation  
1700 Pacific Avenue, Suite 400  
Dallas, Texas 75201-4679

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