

Suite 800 1919 Pennsylvania Avenue NW Washington, DC 20006-3401

**K.C. Halm** 202.973.4287 tel 202.973.4499 fax

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November 11, 2011

#### **VIA E-MAIL**

Secretary Missouri Public Service Commission 200 Madison Street Jefferson City, MO 65102

> Re: Notice of Name Change of Mercury Voice and Data Company Pursuant to 4-CSR-240.062

Dear Mr. Secretary,

This filing will serve to provide notice to the Commission of the name change of Mercury Voice and Data Company pursuant to 4 CSR 240-2.060, as reflected in recent changes in section 392.420 of the Missouri statutes. Pursuant to these authorities, please find the following information:

- 1. The company's name will change from Mercury Voice and Data Company to Mercury Voice and Data, LLC d/b/a Suddenlink Communications.
- 2. Attached as Exhibit A, evidence of the name change with the Missouri secretary of state (along with evidence of merger and foreign entity registration with the same).
- 3. Attached as Exhibit B, a copy of the notice sent to customers informing them of the name change.
- 4. Attached as Exhibit C, an adoption notice and revised tariff title sheet reflecting the new name of the company.
- 5. Finally, the company has reviewed its contacts in the Commission's electronic filing and information system, and they have been updated to reflect the reorganization.

Mercury Voice and Data, LLC d/b/a Suddenlink Communications hereby requests that the Commission take notice of and acknowledge the facts recited herein, and note on its records the fact of the conversation of Mercury Voice and Data Company to Mercury Voice and Data, LLC.

Secretary, Missouri PSC November 11, 2011 Page 2

Thank you for your prompt attention to this matter. Please direct any questions regarding this filing to the undersigned.

Respectfully submitted,

K.C. Halm *Counsel for* 

Mercury Voice and Data, LLC d/b/a Suddenlink Communications

cc: Dennis Moffit, Esq., Suddenlink Comm.

# EXHIBIT A

File Number:

X01159434

Date Filed: 07/27/2011

Expiration Date: 07/27/2016

Robin Carnahan

Secretary of State



#### State of Missouri Robin Carnahan, Secretary of State

Corporations Division PO Box 778 / 600 W. Main St., Rm. 322 Jefferson City, MO 65102

| Registration of Fictitious Name (Submit with filing fee of 57,00) (Must be typed or primed)  | e State                                       |  |
|--|---|--|
| This information is for the use of the public and gives no protection to the name being registered, to keep another person or business entity from adopting and using the same name. The ficutious n the filing date. (Chapter 417, RSMo)  Please check one box:   | There is no provision anne registration expir | in this Chapter<br>res 5 years from                            |
| New Registration Renewal X Charter number Amendment X Charter number   | _ Correction                                  | X<br>Charter number  |
| The undersigned is doing business under the following name and at the following address:  Business name to be registered: _Suddenlink Communications   | ×   |  |
| Business Address: 12444 Powerscourt Drive, Ste. 450  |   |  |
| (PO Box may only be used in addition to a physical street address)   |   |  |
| City, State and Zip Code: St. Louis, MO 63131  |   |  |
| Owner Information:   |   |  |
| If a business entity is an owner, indicate business name and percentage owned. If all parties are juge of ownership need not be listed. Please attach a separate page for more than three owners. The business, and the percentage they own are:   | ointly and severally has purifies having an i | iable, percent-<br>nterest in the                              |
| Name of Owners, Charter # Individual or Required If Business Entity Street and Number City and State   | Złp Code                                      | If Listed,<br>Percentage<br>of Ownership<br>Must Equal<br>100% |
| Mercury Voice and Data, LLC 12444 Powerscourt Drive, St. Louis, MO   | 63131   | 100%   |
| All owners must affirm by signing below  In Affirmation thereof, the facts stated above are true and correct:  (The undersigned understands that false materians made in this filing are subject to the penalties of a false declaration to Craig L. Rosenthal, Sr. Vice P. Owner's Signature or Authorized Signature of Business Entry  Owner's Signature or Authorized Signature of Business Entry  Printed Name |   | 10)<br>01/25/2011<br>Doic                                      |
| Owner's Signature or Authoritied Signature of Business Emily Printed Name  |   | Dan  |
| Name and address to return filed document:   |   |  |
| TVAILIG.   | State of Missouri<br>ous Creation 1 Page      | (a)  |
| Address:   | ii litti terri enericeni                      | <br>Ebili 43-ma (1111) 48 m                                    |
| City. State, and Zip Code:   |   |  |

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#### State of Missouri



#### Robin Carnahan Secretary of State

CERTIFICATE OF REGISTRATION FOREIGN LIMITED LIABILITY COMPANY

WHEREAS,

MERCURY VOICE AND DATA, LLC FL1114743

Using in Missouri the name

MERCURY VOICE AND DATA, LLC

and existing under the laws of the State of Delaware has filed with this state its Application for Registration and whereas this Application for Registration conforms to the Missouri Limited Company Act.

NOW, THEREFORE, I, ROBIN CARNAHAN, Secretary of State of the State of Missouri, by virtue of authority vested in me by law, do hereby certify and declare that on the 27th day of July, 2011, the above Foreign Limited Liability Company is duly authorized to transact business in the State of Missouri and is entitled to any rights granted Limited Liability Companies.

IN TESTIMONY WHEREOF. I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri. Done at the City of Jefferson, this 27th day of July, 2011.

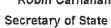
n Camahan

Secretary of State



File Number: FL1114743

Date Filed: 07/27/2011
Robin Carnahan





#### State of Missouri Robin Carnahan, Secretary of State

Corporations Division PO Box 778 / 608 W. Main St., Rm. 322 Jufferson City, MO 65102

#### Application for Registration of a Foreign Limited Liability Company

(Suhmir with filing fee of \$105.00)

|  | gn limited liability company is Mercu  | TV VOICE BIN DATA LIC  |   |  |
|--|--|--|---|--|
| The name under whice "lamited liability com  | th the foreign limited liability company pauy", "LC", "LLC", "L.C.", or "L.L.C   | will conduct business in Misso   | ouri is (must cont<br>ent from line (1))  | tain "limited company,   |
|  |  | 3  |   |  |
| The foreign limited lis  | ability company was formed under the   | lows of Delaware   |   | . 4  |
| te of  |  |  | are or jurisdiction)  | on the   |
|  | dap/year)  |  |   |  |
| The purpose of the for   | reign limited liability company or the g   | eneral character of the business   | if proposes to t  | ransact in this state is:  |
| cable and commun   | lication services  |  |   | Δ  |
| χ.   | 4 0  |  |   |  |
| C.T. Corporation Sy  | siem 120 South Central Aver  | we   | St Louis, MO  | .63105   |
| Nume   | Address (PO Box may only be used in  | conjunction with a pinsical server adde  | neel .  | City/State/Zip   |
|  | munds to cancel the registration of the fareign historied office in the jurisdiction organization  |  |   |  |
| The address of the reg<br>limited liability compa  | ristered office in the jurisdiction organizary is:   | zed. If none required, then the  | principal office :  | address of the foreign   |
| The address of the reg<br>limited liability compa<br>The Corporation To  | istered office in the jurisdiction organizary is:  1209 Orange Str   | zed. If none required, then the  | principal office:   | address of the foreign   |
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| Anthurized Signature |        |                | Graig   Rose<br>Primed Name |              |      |     | 01/25/201 |
|----------------------|--------|----------------|-----------------------------|--------------|------|-----|-----------|
| Authorised Signature |        |                | Printed Name                | <del> </del> |      | *   | Date'     |
| Amhorized Signature  | = =    |                | Printed Norne               |              |      |     | Date      |
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LLC-4 (11/2008)

File Number:

Date Filed: 07/27/2011

Effective Date: 04/01/2011

Robin Carnahan

Secretary of State

ARTICLES OF MERGER

of

Mercury Voice and Data Company

(a Missouri corporation)

into

Mercury Voice and Data, LLC

(a Delaware limited liability company)

#### Pursuant to Section 347.725 of the Missouri Revised Statutes:

- 1. The names of the entities party to the merger are Mercury Voice and Data, LLC, a Delaware limited liability company ("Survivor") and Mercury Voice and Data Company, a Missouri corporation ("Non-Survivor").
- 2. The Agreement and Plan of Merger has been approved and executed by both the Survivor and the Non-Survivor in accordance with Section 347.720 of the Missouri Revised Statutes.
- 3. The name of the surviving limited liability company is Mercury Voice and Data, LLC, a Delaware limited liability company.
- 4. The Registered Agent of the Survivor is CT Corporation System, 120 S. Central Avenue, Clayton, MO 63105.
- 5. The Certificate of Formation of the Survivor shall be the organizational documents of the Survivor.
- 6. The executed Agreement of Merger is on file at 12444 Powerscourt Drive, Suite 450, St. Louis, Missouri 63131, the principal place of business of the Survivor.
- 7. A copy of the Agreement of Merger will be furnished by the Survivor on request, without cost, to any partner, shareholder, member or their equivalent, of any entity that is a party to the merger.

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State of Missouri
Merner - Other 6 Page(s)



IN WITNESS WHEREOF, the Survivor and the Non-Survivor have caused these Articles of Merger to be executed as of April 1, 2011.

| Merging Entity  | Surviving Entity            |
|---|-----------------------------|
| Mercury Voice and Data Company,<br>a Missouri corporation | Mercury Voice and Data, LLC |
| ву: С 7—  | By: C7                      |
| Name: Craig L. Rosenthal                                  | Name: Craig L. Rosenthal    |
| Title: Sr. Vice President                                 | Title: Sr. Vice President   |

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#### Robin Carnahan Secretary of State

CERTIFICATE OF MERGER FOREIGN ENTITY SURVIVING

WHEREAS, Articles of Merger of the following entities:

Mercury Voice and Data Company — 00734762 INTO:

Mercury Voice and Data, LLC - A Delaware Limited Liability Company not qualified
Organized and existing under the laws of Missouri and Delaware have been received, found to conform to law, and filed.

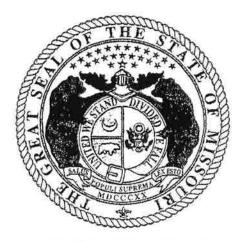
NOW, THEREOF, I, ROBIN CARNAHAN, Secretary of State of the State of Missouri, issue this Certificate of Merger, certifying to the foregoing and certifying that the merger of the aforenamed with

Mercury Voice and Data, LLC - A Delaware Limited Liability Company not qualified as the survivor, shall be effective on the date on which the same becomes effective in the State of Delaware.

Effective date: April 1, 2011

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri. Done at the City of Jefferson, this 27th day of July, 2011.





# EXHIBIT B

### Easy. Better. Different. suddenlink.com

# Important Notice About Your Bill



## Welcome to Suddenlink. Easy. Better. Different.

Allow us to introduce ourselves. We're Suddenlink, your new communication provider. We will be taking over for your current provider, NPG. This will be the last bill you receive from NPG. The next one will come from Suddenlink. We look forward to serving you.



Your satisfaction.
Your productivity.
Possibly even your ROI.
Exciting things are coming



thanks to Suddenlink.

Dear Business Owner,

ffective April 1st, NPG joined forces with Suddenlink, one of the largest telecommunications providers in the United States. With this new transition, your business will enjoy all the new state-of-the-art savviness that comes with a national company like Suddenlink, as well as the same personal responsibility that you love from a local one like NPG. But that's not all. As a future Suddenlink Business customer, you will experience an abundance of new features and products that will help bring a rise to your business' success.



companies joining together to bring you



#### Easy as 1-2-3.

As an NPG customer, you can feel confident that the changeover to Suddenlink will be easy and have minimal disruption to your business. You won't need to purchase new equipment, and you will be able to retain your existing email address. In fact, just about the only thing you will notice will be Suddenlink's new features- like **unlimited long distance calling**. As a preferred customer, if you sign up now for unlimited long distance calling you get priority installation.

#### One bill, That's the bottom line,

One call. One connection. One bill. In July, Suddenlink customers can enjoy **one simple, convenient** bill for all their great services. Stay tuned for more information.

#### Help keep your business booming.

Your business never stops working, so neither do we. With **24/7 network monitoring** and **expert technical support**. Our reliability and your confidence can be completely assured.

If you have questions at all during this exciting time, please feel free to call us at 866-693-9440. In the meantime, let the countDOWN to your UPgrade begin!

Sincerely.

Your new friends at Suddenlink



## 4/26/11 9:03 AM

# Inside you'll find...



Account summary for quick browsing.



Enhanced messages to keep you updated on important news and announcements.



Convenient pay options and contact information.

# Welcome to

**Billing Statement** Presenting your **NEW** 



Please read the enclosed for important nformation about your new bill.

mysuddenlinkbusiness.com 1-800-490-9604



# How to read your new bill

- How To Reach Us.
- 2 Your Account Number.
- 3 Your Access Code.

Sudden

Payments, and Credits. Summary of Charges, Easy-To-Read

Suddenlink Business.

- Your Payment Coupon. Just tear it off and mail it in. ٨
- Easy-to-read itemized broken out by service: details of charges, TV, Internet, and Charge Details. 6

forward to from Suddenlink:

24/7/365 Customer Service

Trusted Business Partner

- Important Messages, Reminders, and Offers. opportunities, news, Including special and promotions. events, savings
- Additional Information. and paperless billing This example shows automatic payments EZ Pay to set up **@**

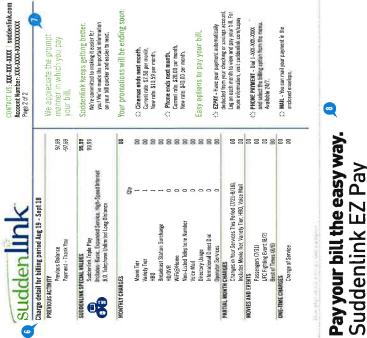












# Suddenlink EZ Pay

- \* PAY YOUR BILL DIRECTLY THROUGH YOUR BANK ACCOUNT OR CREDIT CARD.
  - NO CHECKS TO WRITE, NO TRIPS TO THE MAILBOX,
     NO FORGETTING, NO HASSLES,
    - AUTOMATIC, SECURE AND EFFORTLESS.
- Suddenlink . BEST OF ALL, IT'S FREE.

\*Example only. Not an actual bill.



Call 1-800-490-9604 or visit www.mysuddenlinkbusiness.com Any questions about your new bill?

# EXHIBIT C

#### Adoption Notice and Revised Tariff Title Sheets of Mercury Voice and Data, LLC d/b/a Suddenlink Communications

Mercury Voice and Data, LLC d/b/a Suddenlink Communications hereby adopts, ratifies, and makes its own, in every respect as if the same had been originally filed by it, all tariffs filed with the Public Service Commission, State of Missouri, by the Mercury Voice and Data Company prior to November 11, 2011.

This tariff replaces P.S.C. Mo. No. 1 in its entirety.

#### MISSOURI RESALE AND FACILITIES-BASED COMPETITIVE LOCAL EXCHANGE TELECOMMUNICATIONS TARIFF

OF

#### MERCURY VOICE AND DATA, LLC d/b/a SUDDENLINK COMMUNICATIONS

12444 Powerscourt Drive St. Louis, MO 63131

Mercury Voice and Data, LLC d/b/a Suddenlink Communications operates as a competitive telecommunications company within the State of Missouri.

This tariff contains the descriptions, regulations, and rates applicable to the resale of telecommunication services provided by Mercury Voice and Data, LLC with offices at 12444 Powerscourt Drive, St. Louis, MO 63131.

This tariff applies to services furnished within the State of Missouri. This tariff is on file with the Public Service Commission of Missouri, and copies may be inspected, during normal business hours, at the Company's principal place of business.

Issued: November 11, 2011

Effective: November 21,2011

By:

#### MISSOURI INTEREXCHANGE TELECOMMUNICATIONS TARIFF

OF

#### MERCURY VOICE AND DATA, LLC d/b/a SUDDENLINK COMMUNICATIONS

Mercury Voice and Data, LLC d/b/a Suddenlink Communications operates as a competitive telecommunications company within the State of Missouri.

This tariff contains the descriptions, regulations, and rates applicable to the resale of telecommunication services provided by Mercury Voice and Data, LLC with offices at 12444 Powerscourt Drive, St. Louis, MO 63131.

This tariff applies to services furnished within the State of Missouri. This tariff is on file with the Public Service Commission of Missouri, and copies may be inspected, during normal business hours, at the Company's principal place of business.

Issued: November 11, 2011

Effective: November 21, 2011

By:

#### MERCURY VOICE AND DATA, LLC d/b/a SUDDENLINK COMMUNICATIONS

#### Switched Access Service Tariff

This tariff applies to Intrastate Switched Access Service furnished in the exchanges of Southwestern Bell Telephone, L.P. d/b/a AT&T Missouri. This tariff is on file with the Public Service Commission of Missouri, and copies may be inspected, duling normal business hours, at the Company's principal place of business.

For Mercury Voice and Data, LLC d/b/a Suddenlink Communications service areas, please refer to P.S.C. Mo. No.2.

Issued: November 11, 2011

Effective: November 21, 2011

By: