

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of Mercury Voice and Data)	<u>Case No. TN-2012-0149</u>
Company Changing their Name to Mercury)	Tariff Nos. YL-2012-0219
Voice and Data, LLC d/b/a SuddenLink)	YL-2012-0220
Communications)	YL-2012-0221

STAFF RECOMMENDATION TO REJECT TARIFF ADOPTION NOTICE

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), through the undersigned counsel, and hereby respectfully files its recommendation and states as follows:

1. On November 14, 2011, Mercury Voice and Data Company (“Company”) filed a tariff adoption notice, to become effective on November 21, 2011, that would permit it to operate under the name Mercury Voice and Data, LLC d/b/a SuddenLink Communications

2. Rule 4 CSR 240-2.062 establishes filing requirements for certificated company name changes; the Company has not complied with the rule. Although the rule allows a ten-day effective date, the tariff adoption notice was filed on November 14, which would require that the effective date be November 24, 2011. The reason for the delay is unclear; it may be that the tariff adoption notice was e-mailed to the Data Center, rather than filed with the Missouri Public Service Commission (“Commission”) through its Data Center or through EFIS. The Adoption Notice appears to be otherwise compliant, as it includes all the other requirements set forth in the rule.

WHEREFORE, the Staff requests that the Commission reject the tariff filing as unacceptable and advise the Company that its tariff shall be properly filed in EFIS with a

ten-day effective date, or may be filed by some other means, adding enough time to the ten days to allow for delivery, receipt and processing into the Commission's files.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 18th day of November, 2011.

