

Memorandum

To: Missouri Public Service Commission Official Case File
Case No. XN-2013-0345
Tariff No. YX-2013-0293

Date: January 3, 2013

From: Contessa Poole-King
Telecommunications Unit

William Voight January 3, 2013
Tariff, Safety, Economic and Engineering Analysis

Subject: Staff Recommendation for Approval of Name Change

Existing Name of Company: DeltaCom, Inc. d/b/a EarthLink Business
Proposed Name of Company: DeltaCom, LLC d/b/a EarthLink Business

The Telecommunications Department Staff (Staff) recommends the Commission approve the change of name and tariff sheet(s) for MO PSC No.2 effective January 20, 2013.

Review Items

Administrative:

- ☒ No applications to intervene filed.
- ☒ Evidence of registration of the name change with the Missouri Secretary of State has been submitted.

- ☐ Customers have been notified. (4 CSR 240-3.545(20))
- ☐ Customers will be notified at or before the next billing cycle of any name change. (4 CSR 240-3.545(20))
- ☒ Other – Customers will continue to receive service from the current entity EarthLink Business under the same rates, terms and conditions, no customer notice necessary.

Tariff:

- ☒ Adoption Notice
- ☒ Revised Title Page (see tariff review section below)
- ☐ New Tariff (see tariff review section below)

Tariff review items (as applicable):

- ☐ Not Applicable – New tariff was not submitted.
- ☐ Properly formatted: (Company name, PSC MO No., Page #, Page revision #, proposed effective date)
- ☐ Identifies competitive classification.

Appendix A

- ☐ Identifies waivers granted.
- ☐ Customer specific pricing, if proposed, limited for private line, special access or Centrex-like services or to business customers in exchanges where the incumbent local exchange company has had its business services declared competitive pursuant to Section 392.245. (392.200(8)).
- ☐ Proposed rates do not establish geographic deaveraged rates (if not checked, explain in attachment). (392.200(4)).
- ☐ If an alternative operator service provider (receives more than 40% of revenues from traffic aggregators) operator service rates do not exceed: Person-to-Person (\$10.00), Station-to-Station/card (\$5.50). (392.515(1))

Tariff review items (as applicable, only for CLECs):

- ☐ Tariff clearly indicates areas offering local service area
(____AT&T Missouri, ____CenturyTel, ____ Sprint, ____ Spectra, ____ Other)
- ☐ Tariff offers local service as a separate and distinct service.
- ☐ Switched access service rates capped at ILEC's rates.

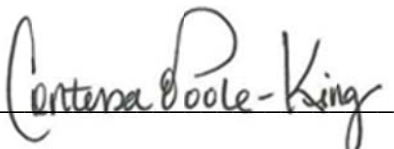
Are there additional recommendations or special considerations?

☒ No

☐ Yes

- ☐ The Company is not delinquent in filing an annual report, paying the PSC assessment, MoUSF, and Relay Missouri.
- ☒ The Company is delinquent. Staff recommends the Commission grant the requested relief/action on the condition the applicant corrects the delinquency. The applicant should be instructed to make the appropriate filing in this case after it has corrected the delinquency.
- (☒ No annual report (**2011 AR Deficient**) ☐ Unpaid PSC assessment ☐ Unpaid MoUSF
- ☐ Unpaid Relay Missouri. Amount owed:)

Under penalty of perjury, I affirm that the above statement is true and correct.



CONTESSA POOLE-KING