

October 10, 2012

**Via Overnight Courier**

Steven C. Reed, Secretary  
Missouri Public Service Commission  
200 Madison Street, Suite 100  
Jefferson City, MO 65102-0360

**FILED**

OCT 15 2012

Missouri Public  
Service Commission

**Re: Request Regarding the Conversion and Name Change of New Edge Network, Inc. d/b/a EarthLink Business to EarthLink Business, LLC**

Dear Mr. Reed:

EarthLink Business, LLC (formerly known as New Edge Network, Inc. d/b/a EarthLink Business) (the "Company"), pursuant to 4 CSR 240.060(5) and 4 CSR 240.545(19) and (20), respectfully requests that the Missouri Public Service Commission ("Commission") change the name on the Company's certificate<sup>1</sup> from New Edge Network, Inc. d/b/a EarthLink Business to EarthLink Business, LLC.

The conversion of the Company to a limited liability company was merely a change in corporate form – the conversion was accomplished through a "check-the-box" filing in Delaware and did not entail any merger or other transactions that extinguish the existence of the Company and the name under which this entity conducts business, "EarthLink Business," has not changed. As a result, the customers of the Company continue to be served by the same entity from whom they previously obtained service and continue to receive invoices for services from EarthLink Business under the same rates, terms and conditions of service as provided by EarthLink Business before the changes.

A copy of the Company's Amended Certification of Authority of a Foreign Corporation reflecting the Company's new name is provided as Exhibit A. An adoption notice and revised tariff with the Company's new name is attached hereto as Exhibit B.

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<sup>1</sup> The Company is authorized to provide competitive interexchange and non-switched local exchange services pursuant to a certificate issued by the Commission in Case No. TA-2000-311 on December 24, 1999.



An original and eight (8) copies of this notice are included for filing. Please date-stamp the extra copy and return it in the envelope provided. Please do not hesitate to contact Brett Ferenchak at 202-373-6697 if you have any questions.

Respectfully submitted,

A handwritten signature in blue ink that reads "Paula Foley". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Paula Foley  
Regulatory Affairs Counsel  
EarthLink Business

Attachments

Cc: Office of Public Counsel  
General Counsel  
Brett P. Ferenchak

**EXHIBIT A**

**Certificate of Conversion and Amended Authority to Transact Business**

# Delaware

PAGE 1

*The First State*

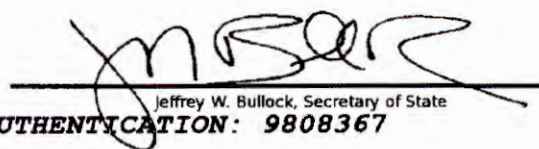
I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE DO HEREBY CERTIFY THAT THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF CONVERSION OF A DELAWARE CORPORATION UNDER THE NAME OF "NEW EDGE NETWORK, INC." TO A DELAWARE LIMITED LIABILITY COMPANY, CHANGING ITS NAME FROM "NEW EDGE NETWORK, INC." TO "EARTHLINK BUSINESS, LLC", FILED IN THIS OFFICE ON THE TWENTY-SEVENTH DAY OF AUGUST, A.D. 2012, AT 6:32 O'CLOCK P.M.

3049857 8100V

120975544

You may verify this certificate online  
at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)



  
Jeffrey W. Bullock, Secretary of State  
AUTHENTICATION: 9808367

DATE: 08-28-12

**CERTIFICATE OF CONVERSION  
OF  
NEW EDGE NETWORK, INC.**

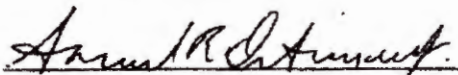
This Certificate of Conversion of **NEW EDGE NETWORK, INC.**, a Delaware corporation (the "Corporation"), dated this 27<sup>th</sup> day of August, 2012 is being duly executed and filed on behalf of the Corporation by an authorized person, to convert the Corporation to a limited liability company under the Delaware Limited Liability Company Act (*Del. Code Ann. tit. 6 §18-214*) and the Delaware General Corporation Law.

1. The name of the Corporation is New Edge Network, Inc., a Delaware corporation.
2. The original Certificate of Incorporation was filed with the Secretary of State of the State of Delaware on June 1, 1999.
3. The name of the limited liability company into which the Corporation shall be converted is "EarthLink Business, LLC" as set forth in its Certificate of Formation.
4. The conversion of the Corporation shall be effective upon the filing of this Certificate of Conversion.

[Signatures Page to Follow]

IN WITNESS WHEREOF, the undersigned has executed this certificate as of the date first above written.

NEW EDGE NETWORK, INC.

By:   
Name: Samuel R. DeSimone, Jr.  
Title: Executive Vice President, General Counsel  
and Secretary



# Delaware

PAGE 2

*The First State*


I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE DO HEREBY CERTIFY THAT THE ATTACHED IS A TRUE AND CORRECT COPY OF CERTIFICATE OF FORMATION OF "EARTHLINK BUSINESS, LLC" FILED IN THIS OFFICE ON THE TWENTY-SEVENTH DAY OF AUGUST, A.D. 2012, AT 6:32 O'CLOCK P.M.

3049857 8100V

120975544

You may verify this certificate online  
at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)



  
Jeffrey W. Bullock, Secretary of State  
AUTHENTICATION: 9808367

DATE: 08-28-12

State of Delaware  
Secretary of State  
Division of Corporations  
Delivered 06:31 PM 08/27/2012  
FILED 06:32 PM 08/27/2012  
SRV 120975544 - 3049857 FILE

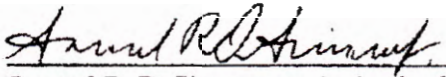
**CERTIFICATE OF FORMATION  
OF  
EARTHLINK BUSINESS, LLC**

1. The name of the limited liability company is EarthLink Business, LLC.
2. The address of its registered office in the State of Delaware is 160 Greentree Drive, Suite 101, in the City of Dover, County of Kent, Delaware 19904. The name of its registered agent at such address is National Registered Agents, Inc.
3. This Certificate of Formation shall be effective upon its filing.

[Signature Page to Follow]



**IN WITNESS WHEREOF**, the undersigned has executed this Certificate of Formation of EarthLink Business, LLC, this 27 day of August, 2012.

  
\_\_\_\_\_  
Samuel R. DeSimone, an Authorized Person

# STATE OF MISSOURI



Robin Carnahan  
Secretary of State

## CERTIFICATE OF REGISTRATION FOREIGN LIMITED LIABILITY COMPANY

WHEREAS,

*EARTHLINK BUSINESS, LLC*  
*FL1261722*


Using in Missouri the name

*EARTHLINK BUSINESS, 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 10th day of October, 2012, 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  
10th day of October, 2012.

  
Secretary of State



**EXHIBIT B**

**Adoption Notice and Revised Tariff Title Page**

## **VERIFICATION**



**VERIFICATION**

COMMONWEALTH OF MASSACHUSETTS

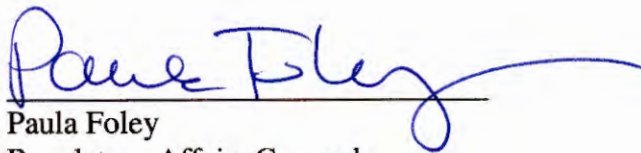
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COUNTY OF MIDDLESEX

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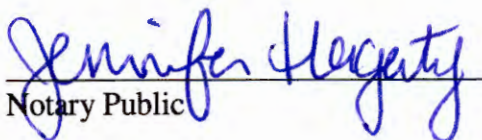
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I, Paula Foley, state that I am Regulatory Affairs Counsel of EarthLink, Inc. and its subsidiaries in the foregoing filing (collectively, the "Company"); that I am authorized to make this Verification on behalf of the Company; that the foregoing filing was prepared under my direction and supervision; and that matters set forth in the filing are true and correct to the best of my knowledge, information, and belief.



Paula Foley  
Regulatory Affairs Counsel  
EarthLink, Inc.

SWORN TO AND SUBSCRIBED before me on the 20 day of September, 2012.



Notary Public

My commission expires: 12/7/18