



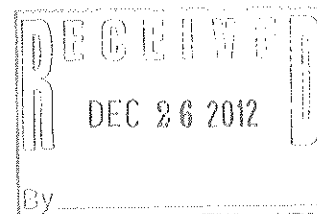
Paula Foley, Esq.
5 Wall Street
Burlington, MA 01803
Direct: 781-362-5713

Filed
December 26, 2012
Data Center
Missouri Public
Service Commission

December 20, 2012

Via Overnight Courier

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



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

Dear Mr. Reed:

DeltaCom, LLC d/b/a EarthLink Business (formerly known as DeltaCom, Inc. d/b/a EarthLink Business) (the "Company"), pursuant to 4 CSR 240-2.062, respectfully requests that the Missouri Public Service Commission ("Commission") change the name on the Company's certificate¹ from DeltaCom, Inc. d/b/a EarthLink Business to DeltaCom, LLC d/b/a EarthLink Business.

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 Alabama 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. Therefore, notice to customers of the change in legal name is not necessary.

A copy of the Company's Statement of Conversion and amended authority to transact business from the Missouri Secretary of State reflecting the Company's new name is provided as Exhibit A. An adoption notice and revised tariff title sheet with the Company's new name is attached hereto as Exhibit B.

The Company will review contacts in EFIS for its prior names and make sure they are updated and also insert the contact information for its new name as necessary.

¹ The Company is authorized to provide interexchange services pursuant to a certificate of authority issued by the Commission in Case No. TA-97-216 on January 28, 1997.



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 black ink, appearing to read "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

Statement of Conversion and Amended Authority to Transact Business



State of Missouri

Robin Carnahan, Secretary of State

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

File Number:

X01276019

Date Filed: 12/12/2012

Expiration Date: 12/12/2017

Robin Carnahan

Secretary of State

Registration of Fictitious Name

(Submit with filing fee of \$7.00)
(Must be typed or printed)

This information is for the use of the public and gives no protection to the name being registered. There is no provision in this Chapter to keep another person or business entity from adopting and using the same name. The fictitious name registration expires 5 years from the filing date. (Chapter 417, RSMo)

Please check one box:

☒ New Registration ☐ Renewal ☒ Amendment ☐ Correction
Charter number Charter number Charter number

The undersigned is doing business under the following name and at the following address:

Business name to be registered: EarthLink Business

Business Address: 1375 Peachtree Street

(PO Box may only be used in addition to a physical street address)

City, State and Zip Code: Atlanta, GA 30309

Owner Information:

If a business entity is an owner, indicate business name and percentage owned. If all parties are jointly and severally liable, percentage of ownership need not be listed. Please attach a separate page for more than three owners. The parties having an interest in the business, and the percentage they own are:

Name of Owners, Individual or Business Entity	Charter # Required If Business Entity	Street and Number	City and State	Zip Code	If Listed, Percentage of Ownership Must Equal 100%
DeltaCom, LLC d/b/a		1375 Peachtree Street, NE	Atlanta, GA	30309	
DeltaCom Business Solutions, LLC					

All owners must affirm by signing below

In Affirmation thereof, the facts stated above are true and correct:

(The undersigned understands that false statements made in this filing are subject to the penalties of a false declaration under Section 575.060 RSMo)

By: EarthLink Carrier, LLC, its sole member
By: ITC DeltaCom, Inc., its sole member
Owner's Signature or Authorized Signature of Business Entity BY: [Signature] [Name], Executive VP, General Counsel and Secretary Date 10/23/12

Owner's Signature or Authorized Signature of Business Entity _____ Printed Name _____ Date _____

Owner's Signature or Authorized Signature of Business Entity _____ Printed Name _____ Date _____

Name and address to return filed document:

Name: _____

Address: _____

City, State, and Zip Code: _____

State of Missouri
Fictitious Creation 1 Page(s)



T1234756119

STATE OF MISSOURI



Robin Carnahan
Secretary of State

CERTIFICATE OF REGISTRATION FOREIGN LIMITED LIABILITY COMPANY

WHEREAS,

DeltaCom, LLC
FL1276016

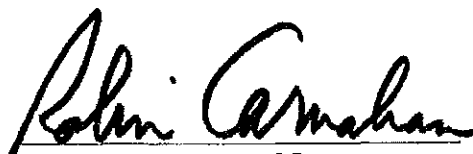
Using in Missouri the name

DeltaCom Business Solutions, LLC

and existing under the laws of the State of Alabama 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 12th day of December, 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
12th day of December, 2012.


Secretary of State



Beth Chapman
Secretary of State

P. O. Box 5616
Montgomery, AL 36103-5616

STATE OF ALABAMA

**I, Beth Chapman, Secretary of State of Alabama, having custody of the
Great and Principal Seal of said State, do hereby certify that**

as appears on file and of record in this office, the pages hereto attached, contain a
true, accurate, and literal copy of the Conversion filed on behalf of DeltaCom,
LLC, as received and filed in the Office of the Secretary of State on 08/29/2012.



20121008000001130

In Testimony Whereof, I have hereunto set my
hand
Capitol, in the city of Montgomery, on this day.

10/08/2012

Date

Beth Chapman

Beth Chapman

Secretary of State

Alabama
Sec. Of State

Entity Change	D/C
086-697	8/29/2012
Date	17:00
Time	5 Pg
121005	
File	\$25.00
Ackn	\$0.00
Exp	\$100.00
Total	\$125.00
05/001	

**CERTIFICATE OF FORMATION
AND STATEMENT OF CONVERSION
OF
DELTACOM, LLC**

Marshall County, Alabama
2012 August -29 12:11PM
Inst Book Page Pages
3087862 5148 66 1
ARTICLES OF ORGANIZ
ARTICLES 50.00 INDEX FEE 1.00
PROBATE F 5.00
Total Fees 56.00
Tie Mitchell Judge of Probate

For the purpose of converting an Alabama corporation to an Alabama limited liability company pursuant to the Alabama Business and Nonprofit Entity Code (the "Code") and, thereby, forming a limited liability company under the Alabama Limited Liability Company Law (the "Act"), the undersigned does hereby sign and adopt this Certificate of Formation.

**ARTICLE I
NAME**

The name of the limited liability company (the "Company") is: DeltaCom, LLC and the address of the Company is 1375 Peachtree Street, Atlanta, GA 30309.

**ARTICLE II
STATEMENT OF CONVERSION**

The Company was converted from an Alabama corporation. The former name of the Company was DeltaCom, Inc. which was formed on April 7, 1982; and the address of DeltaCom, Inc. was 4092 S. Memorial Parkway, Huntsville, AL 35802. Articles of Incorporation of DeltaCom, Inc., as well as Articles of Dissolution filed in connection with the conversion of the Company, are both filed in the office of the Judge of Probate of Marshall County, Alabama. The conversion of the Company from a corporation to a limited liability company was approved pursuant to Section 10-1-8.01 of the Code.

**ARTICLE III
EFFECTIVE DATE**

The organization of the Company, and the conversion of the DeltaCom, Inc. into the Company is to be effective as of 4:00 p.m. on August 29, 2012.

**ARTICLE IV
PERIOD OF DURATION**

The period of duration of the Company shall be perpetual.

**ARTICLE V
PURPOSE**

The purposes, objects and powers of the Company are to engage in any lawful business for which limited liability companies may be organized in Alabama under the Act. Without limiting the scope and generality of the foregoing, the purposes, objects and powers of the Company shall include operating as a resale common carrier.

**ARTICLE VI
REGISTERED OFFICE AND AGENT**

The street address and mailing address of the initial registered office of the Company is 150 S. Perry Street, Montgomery, AL 36104. The initial registered agent at such address is National Registered Agents Inc.

Alabama					
Sec. Of State					
Entity Change	D/C				
086-697					
Date	8/29/2012				
Time	17:00				
121085	5 Pg				
File	\$25.00				
Ackn	\$.00				
Exp	\$100.00				
Total	\$125.00				
05/001					

ARTICLE VII INITIAL MEMBER

The name and mailing address of the initial member of the Company (the "Member") are as follows:

InterState FiberNet, Inc.
1375 Peachtree Street
Atlanta, Georgia 30309

ARTICLE VIII ADMISSION OF ADDITIONAL MEMBERS

From and after the date of the formation of the Company, any person or entity acceptable to the Member may become a Member in this Company either by the issuance by the Company of membership interests for such consideration as the member by its vote shall determine, or a transferee of the Member's membership interest or any portion thereof as approved by the member by its vote, subject to the terms and conditions of these Articles and the operating agreement of the Company.

ARTICLE IX CONTINUATION OF BUSINESS

In the event of the death, retirement, resignation, expulsion or dissolution of any Member the remaining Member or Members, if any, shall automatically continue the business of the Company, except as provided in the operating agreement of the Company.

ARTICLE X MANAGEMENT

The Company is managed by its Member.

ARTICLE XI INTERNAL AFFAIRS

The operating agreement of the Company shall be executed by each Member of the Company and the Company shall set forth all provisions for the regulation of the internal affairs of the Company and the conduct of its business to the extent that such provisions are not inconsistent with the laws of Alabama or these Articles. The operating agreement of the Company may include, without limitation, provisions regarding members, Company capital allocations, distributions, management of the Company, transfers of interest, dissolution, accounting and records, the tax matters partner and indemnification.

[Signature Page to Follow]

IN WITNESS WHEREOF, the undersigned Member has executed this certificate this 27 day of August, 2012.

INTERSTATE FIBERNET, INC.

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

20081443v1

Alabama
Sec. Of State

Entity Change
086-697 D/C
Date 8/29/2012
Time 17:00
121005 5 Pg

File \$25.00
Ackn \$.00
Exp \$100.00

Total \$125.00
05/001

**ARTICLES OF DISSOLUTION
AND STATEMENT OF CONVERSION
OF
DELTACOM, INC.**

Marshall County, Alabama
2012 August -29 12:09PM
Inst Book Page Page
3087841 \$148 64 2
-----ARTICLES OF DISSOLUTION-----
DISSOLUTION 50.00 INDEX FEE 1.00
PROBATE F 5.00
Total Fees 56.00
Tim Mitchell Judge of Probate

For the purpose of converting an Alabama corporation to an Alabama limited liability company pursuant to the Alabama Business and Nonprofit Entity Code (the "Code") and, thereby, dissolving a corporation under the Alabama Business Corporation Law (the "Act"), the undersigned does hereby sign and adopt these Articles of Dissolution.

**ARTICLE I
NAME**

The name of the corporation (the "Corporation") is: DeltaCom, Inc.

**ARTICLE II
STATEMENT OF CONVERSION**

The Corporation was converted to an Alabama limited liability company. The name of the entity to which the Corporation is converted is DeltaCom, LLC. The Articles of Organization filed in connection with the conversion of the Corporation are being filed in the office of the Judge of Probate of Marshall County, Alabama.

**ARTICLE III
EFFECTIVE DATE**

The dissolution of the Corporation, and the conversion of the Corporation into DeltaCom, LLC is to be effective as of 4:00 p.m. on August 29, 2012.

**ARTICLE IV
AUTHORIZATION OF DISSOLUTION AND CONVERSION**

The conversion of the Corporation into a limited liability company and, thereby, the dissolution of the Corporation was approved unanimously by the board of directors and the sole shareholder of the Company by written consent in accordance with the Act and the Code, as applicable, on August 27, 2012.

[Signature Page to Follow]

20081438v1

Alabama
Sec. Of State

Entity Change
086-697 D/C
Date 8/29/2012
Time 17:00
121005 5 Pg

File \$25.00
Ackn \$.00
Exp \$100.00

Total \$125.00
05/001

IN WITNESS WHEREOF, the undersigned has executed this certificate this 27 day of August, 2012.

DELTACOM, INC.

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

20081438v1

Alabama
Sec. Of State

Entity Change
086-697 D/C
Date 8/29/2012
Time 17:00
121005 5 Pg

File \$25.00
Ackn \$.00
Exp \$100.00

Total \$125.00
05/001

EXHIBIT B

Adoption Notice and Revised Tariff Title Page