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FILED

OCT 27 1999

October 26, 1999

**Missouri Public
Service Commission**

RECEIVED

OCT 27 1999

Writer's Direct Contact
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mtobey@mofo.com

By Overnight Delivery

Mr. Dale Hardy Roberts
Regulatory Law Judge / Secretary
Missouri Public Service Commission
301 West High Street
Jefferson City, MS 65102

*Records
Public Service Commission*

70-2000-299

ORIGINAL

Re: Request for Approval of Name Change from Econophone Services, Inc.
to Destia Communications Services, Inc.

Dear Mr. Roberts:

MAY IT PLEASE THE COMMISSION: By this letter, Econophone Services, Inc. ("Econophone"), pursuant to the Commission's policy regarding name change requests, as currently implemented under the Commission's general authority, §§ 386.040, 386.250 and 386.410 RSMo, and 4 CSR Division 240, and set forth under Proposed Rule, Case No. AX-2000-108 (to be codified at 4 CSR 240-2.060(16)), hereby requests that the Commission amend Econophone's Certificate of Service Authority (the "Certificate") to reflect its new corporate name: Destia Communications Services, Inc. ("DCSI").¹

Econophone is authorized by this Commission to provide intrastate interexchange services in the State of Missouri, pursuant to the Commission's October 6, 1998 Order in Case No. TA-99-62. Econophone requests that the Commission amend its Certificate to reflect a change in its corporate name from Econophone Services, Inc. to Destia Communications Services, Inc. Econophone believes that this name change is consistent with its marketing objectives and strategies and will facilitate the promotion of its identity as a global telecommunications services provider.

¹ For ease of reference, this entity will be referred to herein as Econophone.

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Mr. Dale Hardy Roberts
Regulatory Law Judge / Secretary
October 26, 1999
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The proposed name change will have no material effect on the day-to-day operations of Econophone. Econophone has been advising its customers of the name change, and over the next several months, the Econophone name will be phased out in the United States. The terms and conditions of services currently offered by Econophone to its customers will not be affected by the name change. In short, the name change will have no adverse impact upon the company's customers in Missouri.

The name change has been registered with the Secretary of State of Missouri. A copy of the Amended Certificate of Authority of a Foreign Corporation reflecting the name change issued by the Secretary of State of Missouri is attached hereto as Exhibit 1. A copy of DCSI's adoption notice and revised tariff title sheet are attached hereto as Exhibit 2.

Enclosed are five copies of this letter for filing. Please stamp the extra copy of this letter and return it in the prepaid, self-addressed envelope we have enclosed for that purpose. Should you have any questions regarding this request, please contact the undersigned.

Sincerely yours,



Margaret L. Tobey
Counsel to Viatel, Inc.

Enclosures

cc: Danny E. Adams, Esq. (Kelley Drye & Warren LLP) (counsel to Viatel, Inc.)
Dana Frix, Esq. (Swidler Berlin Shereff Friedman, LLP) (counsel to Destia
Communications, Inc.)
James Prenetta, Esq. (Viatel, Inc.)

EXHIBIT 1

STATE OF MISSOURI



Rebecca McDowell Cook
Secretary of State

CORPORATION DIVISION
AMENDED CERTIFICATE OF AUTHORITY
OF A FOREIGN CORPORATION

WHEREAS,

DESTIA COMMUNICATIONS SERVICES, INC.

FORMERLY,

ECONOPHONE SERVICES INC.

INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND NOW IN EXISTENCE AND IN GOOD STANDING IN SAID STATE, AND QUALIFIED TO TRANSACT BUSINESS IN MISSOURI HAS DELIVERED TO ME, DULY AUTHENTICATED EVIDENCE OF AN AMENDMENT TO ITS ARTICLES OF INCORPORATION AS PROVIDED BY LAW, AND HAS, IN ALL RESPECTS, COMPLIED WITH THE REQUIREMENTS OF THE THE GENERAL AND BUSINESS CORPORATION LAW OF MISSOURI, GOVERNING AMENDMENTS TO THE ARTICLES OF INCORPORATION OF FOREIGN CORPORATIONS AND IN ACCORDANCE THEREWITH ISSUE THIS CERTIFICATE OF AMENDMENT.

IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND IMPRINTED THE GREAT SEAL OF THE STATE OF MISSOURI, ON THIS, THE 28TH DAY OF JUNE, 1999.

Rebecca McDowell Cook
Secretary of State



\$25.00



State of Missouri
Judith K. Moriarty, Secretary of State
P.O. Box 778, Jefferson City, Mo. 65102

Corporation Division **FILED**
AND AMENDED CERTIFICATE (IN)
AUTHORITY ISSUED

Application for an Amended Certificate of **JUN 28 1999**
Authority for a Foreign Corporation

(Submit in duplicate with filing fee of \$20.00)

Rebecca McDonnell
SECRETARY OF STATE

The below corporation, relating to amending its certificate of authority of Foreign Corporation, does hereby state:

- (1) Its name is: ECONOPHONE SERVICES INC.
and is incorporated in the State of: Delaware; and it was qualified
in the State of Missouri on May 18, 1998
(month/day/year)
- (2) By appropriate corporate action on: March 4, 1999, the corporation:
(month/day/year)
- (1) Changed its corporate name to: DESTIA COMMUNICATIONS SERVICES, INC.
Name it will use in Missouri if new name not available: _____
- (2) Changed its period of duration to: perpetual
- (3) Changed the state or country of its incorporation to: Delaware
- (3) There is attached hereto a Certificate of the Secretary of State of the State of Delaware
relating to the amendment(s), set forth in item 2 above and showing that the Corporation is in existence
and in good standing in said State.
- (4) The effective date of this document is the date it is filed by the Secretary of State of Missouri, unless you
indicate a future date, as follows: _____
(Date may not be more than 90 days after the filing date in this office)

In affirmation hereon, the facts stated above are true.

[Signature]
(Authorized signature of officer or chairman of the board)

Senior Vice President + General Counsel
(Title)

4-22-99
(Date of signature)

Attached is a current certificate attesting to the change, duly authenticated by the secretary of state
or other official having custody of corporate records in the state or country of incorporation.

EXHIBIT 2

P.S.C. MO. TARIFF NO. 1

DESTIA COMMUNICATIONS SERVICES, INC.

**ORIGINAL ADOPTION NOTICE
PAGE**

ADOPTION NOTICE

Effective June 28, 1999, Econophone Services, Inc. changed its corporate name to Destia Communications Services, Inc. before the Secretary of State for the State of Missouri.

Destia Communications Services, Inc. hereby adopts, ratifies and makes its own, in every respect as if the same had been originally filed by it, all tariffs, schedules, rules, notices, contracts, authorities or other instruments whatsoever, filed with the Public Service Commission, State of Missouri, by Econophone Services, Inc. prior to June 28, 1999.

By this notice Destia Communications Services, Inc. also adopts, ratifies and makes it own all supplements or amendments to any of the above schedules, etc., which Econophone Services, Inc. has filed with said Commission.

DATE OF ISSUE: October 27, 1999

DATE EFFECTIVE: November 26, 1999

Tariff Administrator
95 Route 17 South, Suite 102
Paramus, NJ 07652

TITLE SHEET

MISSOURI INTEREXCHANGE TELECOMMUNICATIONS TARIFF

OF

DESTIA COMMUNICATIONS SERVICES, INC. (T)

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service or facilities for Telecommunications Services furnished by Destia Communications Services, Inc. ("Destia"), with principal offices at 95 Route 17 South, Suite 102, Paramus, NJ 07652, toll free telephone number 800-454-7091. This tariff applies for services furnished within the State of Missouri. This tariff is on file with the Missouri Public Service Commission, and copies may be inspected, during normal business hours, at the company's principal place of business. (T) (T)

Destia Communications Services, Inc. operates as a competitive telecommunications company as defined by Case No. TO-88-142 within the State of Missouri. (T)

303414.1

DATE OF ISSUE: October 27, 1999 DATE EFFECTIVE: November 26, 1999 (T)
Tariff Administrator
95 Route 17 South, Suite 102
Paramus, NJ 07652