

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

In the Matter of the Application for Name )  
Change of Now Acquisition Corporation )  
to Now Communications, Incorporated of )  
Delaware d/b/a Cleartel Communications )

Case No. LN-2006-0448  
Tariff File Nos. YN-2006-0877  
and YL-2006-0879

**STAFF RECOMMENDATION**

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff) and for its recommendation states:

1. In the attached Memorandum, labeled Appendix A, the Staff recommends that the Missouri Public Service Commission recognize the change of name of Now Acquisition Corporation to Now Communications, Incorporated of Delaware; and further recognize that company's use of the fictitious name, Cleartel Communications.

2. The company has fulfilled the requirements of the Commission's rule governing name changes at 4 CSR 240-2.060(5) in that the request contains a clear statement of the old and new names, and the request was accompanied by (1) an amended certificate of authority of a foreign corporation issued by the Missouri Secretary of State (demonstrating the company's change of name from Now Acquisition Corporation to Now Communications, Incorporated of Delaware for use in Missouri); (2) registration of a fictitious name (demonstrating the authority of the company to use the name "Cleartel Communications" to do business in Missouri); and (3) adoption notices and revised tariff title pages identifying the new name.

3. Customers have been notified of the name change in compliance with 4 CSR 240-3.545(20), and Staff has reviewed it and found it acceptable.

4. In conjunction with and to effectuate the name change, the company has submitted revised tariff sheets (one for each of its existing tariffs) with an effective date of June

26, 2006. Staff has reviewed the new tariff sheets and recommends that the Commission approve them.

**WHEREFORE**, Staff recommends that the Commission issue an order acknowledging that Now Acquisition Corporation has changed its name to Now Communications, Incorporated of Delaware and further, that will do business under the fictitious name of Cleartel Communications; and approving the tariff sheets filed to effectuate that name change.

Respectfully submitted,

/s/ David A. Meyer

David A. Meyer  
Senior Counsel  
Missouri Bar No. 46620

Attorney for the Staff of the  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102  
(573) 751-8706 (Telephone)  
(573) 751-9285 (Fax)  
[david.meyer@psc.mo.gov](mailto:david.meyer@psc.mo.gov)

#### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 13<sup>th</sup> day of June 2006.

/s/ David A. Meyer

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

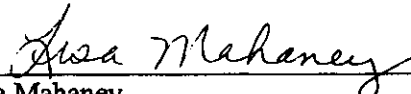
Name change from Now Acquisition )  
Corporation to Now Communications, )  
Incorporated of Delaware d/b/a Cleartel )  
Communications.

Case No. LN-2006-0448

**AFFIDAVIT OF Lisa Mahaney**

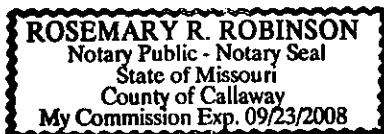
STATE OF MISSOURI )  
 ) ss:  
COUNTY OF COLE )

Lisa Mahaney, employee of the Staff of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that she has participated in the preparation of the accompanying memorandum, and that the facts therein are true and correct to the best of her knowledge and belief.

  
\_\_\_\_\_  
Lisa Mahaney

Subscribed and affirmed before me this 12<sup>th</sup> day of June, 2006.  
I am commissioned as a notary public within the County of Cole, State of Missouri  
and my commission expires on 9-23-2008

  
\_\_\_\_\_  
NOTARY PUBLIC



## Memorandum

To: Missouri Public Service Commission Official Case File  
Case No. LN-2006-0448  
Tariff No. YL-2006-0877 and YL-2006-0879  
Date: 6/12/06

From: Lisa Mahaney  
Telecommunications Department

William Voight 6/12/06  
Utility Operations Division/Date

David A. Meyer 6/13/06  
General Counsel's Office/Date

**Subject: Staff Recommendation for Approval of Name Change**

Existing Name of Company: Now Acquisition Corporation  
Proposed Name of Company: Now Communications, Incorporated of Delaware  
d/b/a Cleartel Communications

**The Telecommunications Department Staff (Staff) recommends the Commission approve the change of name and tariff sheet(s) for PSC MO No. 1 and PSC MO No. 2 effective June 26, 2006.**

## 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))

## Tariff:

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

## Tariff review items (as applicable):

- ☒ Properly formatted: (Company name, PSC MO No., Page #, Page revision #, proposed effective date)  
☒ Identifies competitive classification.  
☐ 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  
(\_\_X\_\_AT&T Missouri, \_\_X\_\_CenturyTel, \_\_X\_\_Sprint, \_\_X\_\_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 and paying the PSC assessment.
- ☐ 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 ☐ Unpaid PSC assessment. Amount owed: )