



FILED

MAR 4 2015

March 3, 2015

**Via Overnight Courier**

Missouri Public  
Service Commission

Morris Woodruff, Secretary  
Missouri Public Service Commission  
200 Madison Street, Suite 100  
Jefferson City, MO 65102-0360

**Re: Request Regarding the Name Change of Business Telecom, Inc. d/b/a EarthLink  
Business to Business Telecom, LLC d/b/a EarthLink Business**

Dear Mr. Woodruff:

Business Telecom, LLC d/b/a EarthLink Business (formerly known as Business Telecom, 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 certificate<sup>1</sup> from Business Telecom, Inc. d/b/a EarthLink Business to Business Telecom, LLC d/b/a EarthLink Business.

The change in the Company's name resulted from its conversion from a North Carolina corporation to a North Carolina limited liability company. The conversion was merely a change in corporate form accomplished by the filing of Articles of Conversion in North Carolina and did not entail any merger or other transactions interrupting the existence of the Company. 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 before the changes. Therefore, notice to customers of the change in name is not necessary.

A copy of the Company's Articles of Conversion and updated 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 name and make sure they are updated and also insert the contact information for its new name as necessary.

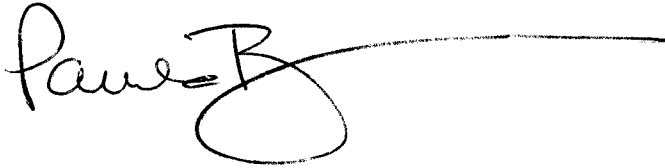
An original and eight (8) copies of this notice are included for filing. Please date-stamp the extra copy and return it in the envelope provided. Please do not hesitate to contact Brett Ferencak at 202-373-6697 if you have any questions.

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<sup>1</sup> The Company is authorized to provide interexchange services pursuant to a certificate issued by the Commission in Case No. TA-93-102 on December 22, 1992.

Morris Woodruff, Secretary  
March 3, 2015  
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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paula B", with a long horizontal line extending to the right.

Paula Foley  
Senior Counsel  
Business Telecom, LLC

Attachments

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

**EXHIBIT A**

**Articles of Conversion and Updated Authority to Transact Business**

**ARTICLES OF ORGANIZATION  
INCLUDING ARTICLES OF CONVERSION  
OF  
BUSINESS TELECOM, INC.**

**December 20, 2013**

Pursuant to §§ 57C-2-21, 57C-9A-01 and 57C-9A-03 of the General Statutes of North Carolina, the undersigned converting business entity does hereby submit these Articles of Organization including Articles of Conversion (the "Articles") for the purpose of forming a limited liability company.

1. The name of the limited liability company is "Business Telecom, LLC" (the "Company").
2. The Company is being formed pursuant to the conversion of another business entity.
3. The name of the converting business entity is "Business Telecom, Inc." (the "Converting Corporation") and the organization and internal affairs of the Converting Corporation are governed by the laws of the state North Carolina.
4. A plan of conversion has been approved by the Converting Corporation as required by law.
5. There shall be no limit on the duration of the Company.
6. The name and address of the person executing these articles of organization is Samuel R. DeSimone, Jr., 1375 Peachtree Street, Level A, Atlanta, GA 30309, in his capacity as Executive Vice President, General Counsel and Secretary of BTI Telecom Corp., a North Carolina corporation, the sole stockholder of the Converting Corporation (immediately prior to the conversion) and the sole member of the Company (immediately following the conversion).
7. The name of the initial registered agent of the Company along with its street and mailing address and county is as follows:  
National Registered Agents, Inc.  
150 Fayetteville St. Box 1011  
Raleigh, NC 27601  
Wake County
8. The principal office telephone number, street and mailing address and county of the Company are as follows:  
(404) 815-0770  
1375 Peachtree Street, Level A  
Atlanta, GA 30309  
Fulton County
9. The Company shall be managed by its Members and all members by virtue of their status as members shall be managers of this limited liability company.
10. These articles will be effective at 11:58 p.m. on December 31, 2013.

IN WITNESS WHEREOF, the undersigned has caused these Articles to be executed by its authorized representative as of the day and year first above written as sole stockholder of the Converting Corporation (immediately prior to the conversion) and sole member of the Company (immediately following the conversion).

BTI TELECOM CORP., a North Carolina corporation

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

# STATE OF MISSOURI



**Jason Kander**  
**Secretary of State**

## CERTIFICATE OF REGISTRATION

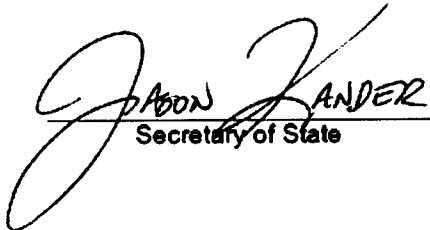
WHEREAS,

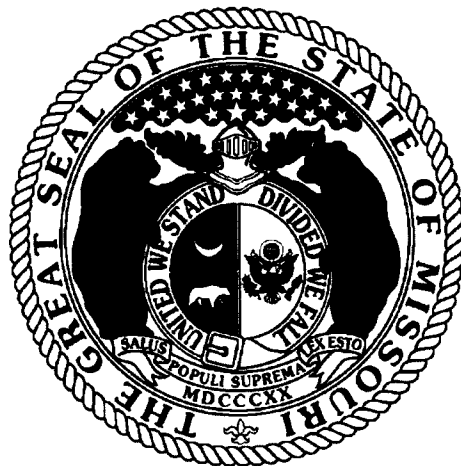
***BUSINESS TELECOM, LLC***  
***FL001411587***

existing under the laws of the State of North Carolina has filed with this state its Application of Registration and whereas this Application of Registration conforms to the Missouri Limited Liability Company Act.

NOW, THEREFORE, I, JASON KANDER, Secretary of State of the State of Missouri, by virtue of the authority vested in me by law, do hereby certify and declare that on the 19th day of November, 2014, 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 19th day of November, 2014.

  
Secretary of State





# State of Missouri

Robin Carnahan, Secretary of State

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

X001195881  
Date Filed: 11/19/2014  
Expiration Date: 11/19/2019  
Jason Kander  
Missouri 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, NE

(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,<br>Individual or<br>Business Entity | Charter #<br>Required If<br>Business Entity | Street and Number         | City and State | Zip Code | If Listed,<br>Percentage<br>of Ownership<br>Must Equal<br>100% |
|---|---|---------------------------|----------------|----------|--|
| Business Telecom, LLC                               |   | 1375 Peachtree Street, NE | Atlanta, GA    | 30309    | 100%   |

### 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)

Samuel R. DeSimone, Jr. Samuel R. DeSimone, Jr. 11/16/14  
Owner's Signature or Authorized Signature of Business Entity Printed Name Date

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: \_\_\_\_\_

ORI-11202014-1267 State of Missouri  
No of Pages 1 Page



Fictitious Name Registration

**EXHIBIT B**

**Adoption Notice and Revised Tariff Title Page**



**ACCESS SERVICES TARIFF**

**ADOPTION NOTICE**

Effective April 3, 2015, Business Telecom, LLC d/b/a EarthLink Business adopts, ratifies, and makes its own in every respect as if the same had been originally filed by it, all tariffs, heretofore filed with the Public Service Commission, State of Missouri by or adopted by Business Telecom, Inc. d/b/a EarthLink Business prior to April 3, 2015.

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Issued: March 4, 2015

Effective: April 3, 2015

Vice President, Tax  
1170 Peachtree Street NE, Suite 900  
Atlanta, GA 30309

**TITLE SHEET**

**RESALE TELECOMMUNICATIONS TARIFF**

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service and facilities for long distance direct-dialed resale telecommunications services provided by Business Telecom, LLC d/b/a EarthLink Business, with principal offices at 1170 Peachtree Street NE, Suite 900, Atlanta, Georgia 30309. This tariff applies for services furnished statewide in 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)

The Company is classified as a competitive telecommunications company pursuant to the Missouri Public Service Commission's "Report and Order" issued December 22, 1992 in Case No. TA-93-102. In addition, the following statutory and regulatory requirements were waived pursuant to this Report and Order:

Statutes

|            |                                    |         |  |
|------------|------------------------------------|---------|--|
| 392.240(1) | ratemaking                         | 392.310 | stock and debt issuance                |
| 392.270    | valuation of property (ratemaking) | 392.330 | issuance of securities, debt and notes |
| 392.280    | depreciation accounts              | 392.340 | reorganization(s)                      |
| 392.290    | issuance of securities             |         |  |

Commission Rules

|                         |                            |                        |                             |
|-------------------------|----------------------------|------------------------|-----------------------------|
| 4 CSR 240-10.020        | depreciation fund income   | 4 CSR 240 32.030(1)(C) | record keeping              |
| 4 CSR 240-30.0 10(2)(C) | rate schedules             | 4 CSR 240-32.030(2)    | in-state record keeping     |
| 4 CSR 240-30.040(1)     | uniform system of accounts | 4 CSR 240-32.050(3)    | local office record keeping |
| 4 CSR 240-30.040(2)     | uniform system of accounts | 4 CSR240-32.050(4)     | telephone directories       |
| 4 CSR 240-30.040(3)     | uniform system of accounts | 4 CSR 240-32.050(5)    | call intercept              |
| 4 CSR 240-30.040(5)     | more detailed accounting   | 4 CSR 240-32.050(6)    | telephone number changes    |
| 4 CSR 240-30.040(6)     | plant accounts             | 4 CSR 240-32.070(4)    | public coin telephone       |
| 4 CSR 240-30.060(5)(B)  |                            | 4 CSR 240-33.030       | minimum charges rule        |
| through (0)             | records re: ratemaking     | 4 CSR 240-33.040(5)    | delinquent account charges  |
| 4 CSR 240-32.030(1 )(B) | exchange boundary maps     |                        |                             |

**[AS OF NOVEMBER 13, 2009, ALL PRODUCTS AND SERVICES CONTAINED IN THIS TARIFF ARE RESERVED FOR CURRENTLY SUBSCRIBED CUSTOMERS AND ARE NO LONGER AVAILABLE TO NEW CUSTOMERS.]**

Issued: March 4, 2015

Effective: April 3, 2015

Vice President, Tax  
1170 Peachtree Street NE, Suite 900  
Atlanta, GA 30309

## VERIFICATION

COMMONWEALTH OF MASSACHUSETTS      §  
    §  
 COUNTY OF MIDDLESEX                   §

I, Paula Foley, state that I am Senior Counsel of Business Telecom, LLC (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  
Senior Counsel  
Business Telecom, LLC

SWORN TO AND SUBSCRIBED before me on the 28 day of November, 2014.

  
Notary Public

My commission expires: June 5, 2020



**GAIL C. GAUTHIER**  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
June 5, 2020