

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

In the Matter of the Name Change Request of)
Consolidated Communications Network Services,) Case No. XN-2009-0276
Inc. to Consolidated Communications Enterprise)
Services, Inc.)

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff), through Counsel, and files its Recommendation with the Missouri Public Service Commission (Commission) respectfully stating the following:

1. On January 26, 2009, Consolidated Communications Network Services (CCNS) filed a request pursuant to 4 CSR 240-2.060(5), to change its name to Consolidated Communications Enterprise Services, Inc. (CCES).
2. Along with the request, CCNS also filed the following new tariff sheets, with an effective date of February 27, 2009: Missouri Tariff No. 1, Consolidated Communications Enterprise Services, Inc., doing business as Consolidated Communications Network Services; Missouri Tariff No. 2, Consolidated Communications Enterprise Services, Inc., doing business as Consolidated Communications Public Services; and Missouri Tariff No. 3, Consolidated Communications Enterprise Services, Inc., doing business as Consolidated Communications Operator Services. CCES seeks to operate using three d/b/a names.
3. On January 27, 2009, the Commission ordered Staff to file its recommendation no later than February 13, 2009. Subsequently through Commission order, the date for filing was extended until February 23, 2009.

4. Name changes are governed by 4 CSR 240-2.060(5). CCNS has filed a statement setting out both the old name and new name, evidence of registration of the name with the Missouri Secretary of State and new tariff sheets with the proposed name and d/b/a. However, the pending request is somewhat beyond the scope of a typical name change in that the company plans to operate under three distinct d/b/a names.
5. In Staff's Memorandum, attached as Appendix A, Staff is aware of Case No. TA-94-51, In the Matter of the Application of GE Capital Communications Services Corporation, d/b/a GE Exchange and d/b/a GE Capital Exchange, for a certificate of service authority to resell interexchange telecommunications services within the state of Missouri. In that case, the Commission stated "that it is not in the public interest to allow a regulated utility to operate using more than one fictitious name due to the potential for customer confusion, confusion in the research and maintenance of various tariffs for the appropriate utility and other such matters."
6. Although this has been denied in the past, Staff has no objection to allowing the three d/b/a names if the Commission orders CCES to file an annual report, pay the PSC assessment and MoUSF remittance for each of the three d/b/a names, rather than just for the parent company.
7. Addressing the Commission's concerns further, the appearance of customer confusion is low as CCES' undertakings are different with each of the d/b/a/ names; one providing communications for correctional or confinement institution, another providing direct dialed and directory assistance calls, and the other providing automated and live intrastate operator assistance. Additionally, for each undertaking, CCES will be using as a d/b/a

the name of the company that provided that undertaking prior to the internal corporate reorganization.

8. Finally, Staff has discussed management of the Company's information with the Commission's Data Center and Budget and Fiscal Services. Both departments do not foresee any significant issues with the internal management of the three d/b/a names for the certificated company, as long as the Company is ordered to undergo the reporting requirements of the certificated company for each d/b/a name.

WHEREFORE, the Staff recommends the Missouri Public Service Commission issue an order 1) granting the name change from Consolidated Communications Network Services, Inc. to Consolidated Communications Enterprise Services, Inc; 2) approving the tariffs as submitted; and 3) directing Consolidated Communications Enterprise Services, Inc., to undergo the reporting requirements of the certificated company for each d/b/a name.

Respectfully submitted,

/s/ **Jennifer Hernandez**

Jennifer Hernandez
Legal Counsel
Missouri Bar No. 59814

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Missouri Public Service Commission
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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 23rd day of February 2009.

/s/ Jennifer Hernandez

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No. XN-2009-0276 File Nos. YX-2009-0547, 0548 and 0549
Company Name: Consolidated Communications Network Services, Inc.

From: Lisa Mahaney
Telecommunications Department

William Voight 2/23/09
Utility Operations Division/Date

/s/ **Jennifer Hernandez**
General Counsel Office/ 2/23/09

Subject: Request for Name Change

Date: 2/23/09

On January 26, 2009, Consolidated Communications Network Services, Inc., (Consolidated) filed a letter requesting approval for a change of name to Consolidated Communications Enterprise Services, Inc. (CCES or Company). Consolidated has one certificate of service authority to provide interexchange telecommunications services, but proposes to operate under three d/b/a names.

Name changes are governed by 4 CSR 240-2.060(5). Consolidated has filed a statement setting out both the old name and new name, evidence of registration of the name with the Missouri Secretary of State and new tariff sheets with the proposed name and d/b/a. However, the pending request is somewhat beyond the scope of a typical name change in that the company plans to operate under three distinct d/b/a names.

Staff recognizes the Commission's decision in Case No. TA-94-51, In the matter of the Application of GE Capital Communications Services Corporation, d/b/a GE Exchange and d/b/a GE Capital Exchange, for a certificate of service authority to resell interexchange telecommunications services within the state of Missouri. In that case, the Commission stated "that it is not in the public interest to allow a regulated utility to operate using more than one fictitious name due to the potential for customer confusion, confusion in the research and maintenance of various tariffs for the appropriate utility and other such matters. Although this has been denied in the past, Staff has no objection to allowing the three d/b/a names if the Commission orders CCES to file an annual report, pay the PSC assessment and MoUSF remittance for each of the three d/b/a names, rather than just for the parent company. The appearance of customer confusion is low as CCES' undertakings are different with each of the d/b/a/ names; one providing communications for correctional or confinement institution, another providing direct dialed and directory assistance calls, and the other providing automated and live intrastate operator assistance. Additionally, for each undertaking, CCES will be using as a d/b/a the name of the company that provided that undertaking prior to the internal corporate reorganization. Staff has discussed management of the Company's information with the

Commission's Data Center and Budget and Fiscal Services. Both departments do not foresee any significant issues with the internal management of the three d/b/a names for the certificated company, as long as the Company is ordered to undergo the reporting requirements of the certificated company for each d/b/a name.

Staff has no objection to the approval of the name change and the following tariffs to become effective on 2/27/09:

Missouri Tariff No. 1 for Consolidated Communications Enterprise Services, Inc. d/b/a Consolidated Communications Network Services

Missouri Tariff No. 2 for Consolidated Communications Enterprise Services, Inc. d/b/a Consolidated Communications Public Services

Missouri Tariff No. 3 for Consolidated Communications Enterprise Services, Inc. d/b/a Consolidated Communications Operator Services.

<p><input checked="" type="checkbox"/> The Company is not delinquent in filing an annual report, paying the PSC assessment, MoUSF, and Relay Missouri.</p> <p><input type="checkbox"/> 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.</p> <p>(<input type="checkbox"/> No annual report <input type="checkbox"/> Unpaid PSC assessment <input type="checkbox"/> Unpaid MoUSF</p>
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**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Change of Name For)
 Consolidated Communications Network)
 Services, Inc. to Consolidated Communications)
 Enterprise Services, Inc. d/b/a Consolidated)
 Communications Network Services;)
 Consolidated Communications Enterprises)
 Services, Inc. d/b/a Consolidated)
 Communications Public Services; and)
 Consolidated Communications Enterprises)
 Services, Inc. d/b/a Consolidated)
 Communications Operator Services)

Case No. XN-2009-0276

AFFIDAVIT OF LISA MAHANEY

STATE OF MISSOURI)
) ss:
 COUNTY OF COLE)

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

Lisa Mahaney

 LISA MAHANEY

Subscribed and affirmed before me this 23rd day of February 2009.



SUSAN L. SUNDERMEYER
 My Commission Expires
 September 21, 2010
 Callaway County
 Commission #06942086

Susan L Sundermeyer

 NOTARY PUBLIC