

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

In the Matter of Everest Midwest )	Case No. TN-2009-0027
Licensee LLC Changing Name to )	Tariff Nos. JC-2009-0023,
SureWest )	JX-2009-0021, JX-2009-0022

**STAFF RECOMMENDATION**

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

1. On July 3, 2008, Everest Midwest Licensee LLC (“Everest”) filed letters with the Commission requesting the Commission to recognize a name change from Everest Midwest Licensee LLC to Everest Midwest Licensee LLC d/b/a SureWest (“SureWest”). Also included with its request, Everest submitted revised tariff sheets to its P.S.C. Tariffs No. 4, 5 and 6 reflecting the name change, all bearing effective dates of August 3.

2. Commission rule 4 CSR 240-2.060 provides:

(5) A name change may be accomplished by filing the items below with a cover letter requesting a change of name. Notwithstanding any other provision of these rules, the items required herein may be filed by a non-attorney. Applications for approval of a change of name shall include:

- (A) A statement, clearly setting out both the old name and the new name;
- (B) Evidence of registration of the name change with the Missouri secretary of state; and
- (C) Either an adoption notice and revised tariff title sheet with an effective date which is not fewer than thirty (30) days after the filing date of the application, or revised tariff sheets with an effective date which is not fewer than thirty (30) days after the filing date of the application.

3. In the attached Memorandum, which is labeled Appendix A, the Staff recommends that the Commission approve the change of name.

4. The request clearly sets out the old name (Everest Midwest Licensee LLC) and the new name (Everest Midwest Licensee LLC d/b/a SureWest). The request includes evidence

of registration of the name change with the Missouri Secretary of State. In compliance with 4 CSR 240-3.545(20), the company has notified customers of the name change.

5. The company has submitted an adoption notice and a revised title page for each of its three tariffs, with the new name clearly identified. Staff has reviewed the new tariff sheets and recommends that the Commission approve those tariff sheets.

WHEREFORE, the Staff recommends that the Commission issue an order to recognize the name change of Everest Midwest Licensee LLC to Everest Midwest Licensee LLC d/b/a SureWest; and approve the tariff sheets filed to effectuate that name change with an effective date of August 3, 2008.

Respectfully submitted,

/s/ William K Haas

William K. Haas

Deputy General Counsel

Missouri Bar No. 28701

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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, transmitted by facsimile or electronically mailed to all counsel of record this 23<sup>rd</sup> day of July 2008.

/s/ William K Haas

## Memorandum

To: Missouri Public Service Commission Official Case File  
Case No. TN-2009-0027  
Tariff No. JX-2009-0021, JX-2009-0022, JC-2009-0023  
Date: July 17, 2009

From: Sara Buyak  
Telecommunications Department

William Voight            7-17-08  
Utility Operations Division/Date

William Haas            7-23-08  
General Counsel's Office/Date

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

Existing Name of Company: Everest Midwest Licensee LLC  
Proposed Name of Company: Everest Midwest Licensee LLC d/b/a SureWest

**The Telecommunications Department Staff (Staff) recommends the Commission approve the change of name and tariff sheet(s) for** (indicate PSC MO numbers) **effective** (indicate effective date).

### 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)).

Appendix A

- 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  
( \_\_\_ AT&T Missouri, \_\_\_ CenturyTel, \_\_\_ Sprint, \_\_\_ 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

If yes, explain in an attachment.

- 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: )

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

In the Matter of Everest Midwest Licensee, )  
L.L.C. Changing Name to SureWest )  
)

Case No. TN-2009-0027

**AFFIDAVIT OF Sara Buyak**

STATE OF MISSOURI )

) ss:

COUNTY OF COLE )

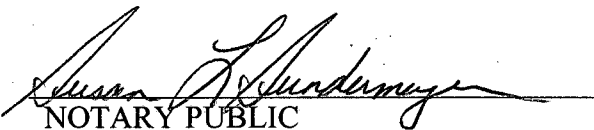
Sara Buyak, employee of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that she has participated in preparing the accompanying staff recommendation, and that the facts therein are true and correct to the best of her knowledge and belief.

  
\_\_\_\_\_  
SARA BUYAK

Subscribed and affirmed before me this 23<sup>rd</sup> day of July 2008.



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

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