

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

In the Matter of the Name Change	)	<u>Case No.TN-2008-0048</u>
Request of Cinergy Communications	)	Tariff No. YX-2008-0127
Company to Norlight, Inc.	)	Tariff No. YC-2008-0128
	)	Tariff No. YC-2008-0149

**STAFF RECOMMENDATION**

COMES NOW the Staff (“Staff”) of the Missouri Public Service Commission (“Commission”), and respectfully states as follows:

1. On August 22, 2007, Cinergy Communications Company (“Cinergy” or “Company”) filed, pursuant to Commission rule 4 CSR 240-2.060, a request for a name change to Norlight, Inc.<sup>1</sup>

2. On August 23, 2007, the Commission issued an Order directing the Staff to file its recommendation concerning Cinergy’s request no later than September 10, 2007.

3. 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: (a) an amended certificate of authority of a foreign corporation issued by the Missouri Secretary of State (reflecting the Company’s change of name from Cinergy Communications Company to Norlight, Inc.); and (b) timely filed adoption notices and revised tariff title pages identifying the new name on each of the Company’s three (3) tariffs.

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<sup>1</sup> Cinergy’s initial request covered only its IXC and CLEC tariffs (Tariff Nos. YX-2008-0127 and YC-2008-0128, respectively). The Company subsequently filed the application materials for its Competitive Access Tariff (Tariff No. YC-2008-0149).

4. Attached as Appendix A is a Staff Memorandum wherein the Staff recommends that the Commission approve the requested name change from Cinergy Communications Company to Norlight, Inc.

WHEREFORE, the Staff recommends that the Commission issue an Order recognizing that Cinergy Communications Company has changed its name to Norlight, Inc., and approving the tariff sheets filed to effectuate that name change.

Respectfully submitted,

/s/ *Dennis L. Frey*

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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 10th day of September 2007.

/s/ *Dennis L. Frey*

## Memorandum

To: Missouri Public Service Commission Official Case File  
Case No. TN-2008-0048  
Tariff No. YX-2008-0127  
              YC-2008-0128  
              YC-2008-0149  
Date: September 6, 2007

From: Sara Buyak  
Telecommunications Department

William Voight            9-10-07  
Utility Operations Division/Date

William Haas            9-10-07  
General Counsel's Office/Date

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

Existing Name of Company: Cinergy Communications Company  
Proposed Name of Company: Norlight, Inc.

**The Telecommunications Department Staff (Staff) recommends the Commission approve the change of name and tariff sheet(s) for P.S.C. Mo. Nos. 1, 2 and 3, effective November 1, 2007.**

### 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)).

Appendix A

- 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  
(\_\_\_\_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:     )

