

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

In the Matter of Birch Telecom of Missouri, Inc.'s Request to Change Its Name to Birch Telecom of Missouri, Inc. d/b/a Birch Communications	)	<b><u>Case No. TN-2008-0307</u></b>
	)	Tariff Nos. JC-2008-0580,
	)	JX-2008-0579,
	)	JX-2008-0581, and
	)	JC-2008-0618

**ORDER RECOGNIZING NAME CHANGE,**  
**APPROVING TARIFFS, AND CANCELING MARKET TRIAL TARIFF**

Issue Date: April 16, 2008

Effective Date: April 25, 2008

On March 26, 2008, Birch Telecom of Missouri, Inc., filed tariffs adopting the assumed name "Birch Telecom". Those tariffs are set to become effective on April 25.

On April 15, the Commission's Staff filed a Recommendation regarding the submitted tariffs. Staff states that Birch Telecom has complied with the Commission rule regarding name changes. Staff recommends that the Commission recognize the name change and approve the submitted tariffs.

Later on April 15, Staff filed a supplement to its recommendation in which it advises the Commission that Birch Telecom has also asked the Commission to cancel the Local Exchange Services Market Trial Tariff that it issued in 1997. Birch Telecom indicates the market trial described in that tariff ended in 1998 and the tariff implementing that market trial should be cancelled in its entirety.

The Commission will follow Staff's recommendations.

**IT IS ORDERED THAT:**

1. The Commission recognizes the name change of Birch Telecom of Missouri, Inc., to Birch Telecom of Missouri, Inc., d/b/a Birch Communications.

2. The Commission approves the Interexchange Services Tariff filing of Birch Telecom of Missouri, Inc., d/b/a Birch Communications, issued on March 26, 2008, adopting its new name. That tariff filing was assigned tariff file number JX-2008-0579, and is approved for service on and after April 25, 2008. The tariff sheets approved are:

**BIRCH TELECOM OF MISSOURI, INC., d/b/a BIRCH COMMUNICATIONS**

P.S.C. MO No. 1

13<sup>th</sup> Revised Checksheet No. 1, Replacing 12<sup>th</sup> Revised Checksheet No. 1

1<sup>st</sup> Revised Sheet No. 1, Cancels Original Sheet No. 1 (Adoption Notice)

1<sup>st</sup> Revised Sheet No. 1, Cancels Original Sheet No. 1 (Title Page)

3. The Commission approves the Local Services Tariff filing of Birch Telecom of Missouri, Inc., d/b/a Birch Communications, issued on March 26, 2008, adopting its new name. That tariff filing was assigned tariff file number JX-2008-0580, and is approved for service on and after April 25, 2008. The tariff sheets approved are:

**BIRCH TELECOM OF MISSOURI, INC., d/b/a BIRCH COMMUNICATIONS**

P.S.C. MO No. 3

Original Adoption Notice

2<sup>nd</sup> Revised Sheet No. 1, Cancels 1<sup>st</sup> Revised Sheet No. 1 (Title Page)

4. The Commission approves the Access Services Tariff filing of Birch Telecom of Missouri, Inc., d/b/a Birch Communications, issued on March 26, 2008, adopting its new name. That tariff filing was assigned tariff file number JX-2008-0581, and is approved for service on and after April 25, 2008. The tariff sheets approved are:

**BIRCH TELECOM OF MISSOURI, INC., d/b/a BIRCH COMMUNICATIONS**

P.S.C. MO No. 4

Original Adoption Notice

1<sup>st</sup> Revised Sheet No. 1, Cancels Original Sheet No. 1 (Title Page)

5. The Commission cancels Birch Telecom of Missouri, Inc.'s Local Exchange Services Market Trial Tariff in its entirety. Birch Telecom of Missouri, Inc.'s request to cancel that tariff was assigned tariff file number JC-2008-0618. The tariff canceled is:

**BIRCH TELECOM OF MISSOURI, INC.**  
PSC Mo No. 2

6. This order shall become effective on April 25, 2008.

7. This case shall be closed on April 26, 2008.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

Morris L. Woodruff, Deputy Chief Regulatory Law  
Judge, by delegation of authority pursuant  
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 16<sup>th</sup> day of April, 2008.