

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of McLeodUSA Adding d/b/a) Case No. TN-2008-0262
PAETEC Business Services) Tariff Nos. JC-2008-0478, JX-2008-0479

ORDER RECOGNIZING ADOPTION OF FICTITIOUS CORPORATE
NAME AND APPROVING TARIFFS

Issue Date: March 13, 2008

Effective Date: March 22, 2008

On February 11, 2008, McLeodUSA Telecommunications Services, Inc. (“McLeod”), a certificated, Commission-regulated provider of telecommunications services in the State of Missouri, filed letters notifying the Missouri Public Service Commission of a corporate name change, the purpose of which was evidently to enable McLeod to provide local exchange and intrastate interexchange business telecommunications services in Missouri under the fictitious name “PAETEC Business Services.”¹ Attached to the letter were revised tariff sheets, which were assigned Tariff Nos. JC-2008-0478 and JX-2008-0479, reflecting the name change and making certain other minor modifications.²

On February 14, 2008, the Commission issued a Notice of Deficiency, in which McLeod was informed that the letters and attachments did not substantially comply with the Commission’s rules governing the contents of applications for recognition of utility company name changes and setting forth filing requirements for telecommunications company tariffs. On February 21, 2008, McLeod corrected these deficiencies by filing appropriate adoption notices and extending the effective date of the revised tariff sheets to March 22, 2008, as

¹ This would result in the following new corporate name: McLeodUSA Telecommunications Services, Inc. d/b/a PAETEC Business Services.

² Both tariffs, which did not include adoption notices, had a proposed effective date of March 12, 2008.

well as by filing a document showing that McLeod registered the fictitious name “PAETEC Business Services” with the Missouri Secretary of State on January 11, 2008, effective for a period of five years. However, none of the materials filed by McLeod indicated if or when its customers would be notified of the name change. Finally, at Staff’s request, on March 4, 2008, McLeod submitted a copy of the notice it planned to distribute to its customers at or before the company’s next billing cycle, as well as revised tariff sheets containing further minor changes.

On February 26, 2008, the Commission directed its Staff to commence an investigation and file a report by March 14, 2008 containing its recommendation as to whether the Commission should recognize McLeod’s name change and approve the accompanying revised tariff sheets. On March 10, 2008, the Staff of the Commission filed a verified Memorandum concluding that McLeod had complied with the applicable Commission Rules governing utility company name changes and setting forth filing requirements for telecommunications company tariffs.³ Staff’s Memorandum also indicates that McLeod will notify its customers of the name change at or before the company’s next billing cycle, and that the revised tariffs McLeod had submitted were in proper form. Accordingly, the Memorandum recommends approval of McLeod’s request for recognition of its adoption of the fictitious name “PAETEC Business Services,” and also recommends approval of Tariff Nos. JC-2008-0478 and YX-2008-0479 with an effective date of March 22, 2008.

The Commission has reviewed McLeod’s pleadings and Staff’s Memorandum, and finds that McLeod’s adoption of the fictitious name “PAETEC Business Services” will be

³ These regulations include 4 CSR 240-2.060(5), 4 CSR 240-3.020(1), and 4 CSR 240-3.545(20).

recognized. The Commission further finds that the revised tariffs reflecting this name change will be approved.

IT IS ORDERED THAT:

1. The Commission acknowledges that McLeodUSA Telecommunications Services, Inc. will henceforth be doing business in Missouri under the fictitious name of PAETEC Business Services, and recognizes that McLeodUSA Telecommunications Services, Inc. is now to be known as McLeodUSA Telecommunications Services, Inc. d/b/a PAETEC Business Services.

2. Tariff No. JC-2008-0478 is approved to become effective on March 22, 2008.

The tariff approved is:

P.S.C. Missouri No. 4
Original Adoption Notice
Second Revised Sheet 1, Replacing First Revised Sheet 1
Sixth Revised Sheet 2, Replacing Fifth Revised Sheet 2
Second Revised Sheet 18, Replacing First Revised Sheet 18
First Revised Sheet 29, Replacing Original Sheet 29
Second Revised Sheet 32, Replacing First Revised Sheet 32
First Revised Sheet 103.4, Replacing Original Sheet 103.4
First Revised Sheet 103.9, Replacing Original Sheet 103.9

3. Tariff No. JX-2008-0479 is approved to become effective on March 22, 2008.

The tariff approved is:

P.S.C. Missouri No. 5
Original Adoption Notice
Second Revised Sheet 1, Replacing First Revised Sheet 1
Fifth Revised Sheet 2, Replacing Fourth Revised Sheet 2
Second Revised Sheet 15, Replacing First Revised Sheet 15
First Revised Sheet 16, Replacing Original Sheet 16
First Revised Sheet 25, Replacing Original Sheet 25
Second Revised Sheet 28, Replacing First Revised Sheet 28

4. This order shall become effective on March 22, 2008.
5. This case may be closed on March 23, 2008.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Benjamin H. Lane, Regulatory
Law Judge, by delegation of authority
under section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 13th day of March, 2008.