

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Joint)	Application No. C-4526
Application of DeltaCom, Inc.)	
and New Edge Network Inc.,)	
Burlington, Massachusetts,)	
seeking name changes to)	GRANTED
DeltaCom, LLC and EarthLink)	
Business, LLC and approval of)	
certain Pro Forma Intra-)	
Company Changes.)	Entered: November 19, 2012

BY THE COMMISSION:

On September 28, 2012, a joint application was filed by DeltaCom, Inc. (DeltaCom), and New Edge Network, Inc. (New Edge), of Burlington, Massachusetts, (collectively, "Applicants") seeking approval of name changes to DeltaCom, LLC and EarthLink Business, LLC, respectively, and approval of certain Pro Forma Intra-Company Changes. Notice of the application was published in The Daily Record, Omaha, Nebraska, on October 4, 2012. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

O P I N I O N A N D F I N D I N G S

The Parties

EarthLink, Inc. (EarthLink) is a publicly traded Delaware corporation and is the indirect parent company of both DeltaCom and New Edge. EarthLink is a provider of Internet Protocol (IP) and telecommunications infrastructure and services to other telecommunications carriers, businesses, enterprise organizations, and individual customers across the United States. EarthLink does not currently offer any regulated telecommunications services and therefore does not hold telecommunications authorizations from the Federal Communications Commission (FCC) or any state regulatory agency.

DeltaCom is an Alabama limited liability company that was converted from an Alabama corporation on August 29, 2012. DeltaCom is a wholly-owned subsidiary of EarthLink. DeltaCom is authorized to provide resold intrastate interexchange intraLATA and interLATA telecommunications services in Nebraska pursuant to the authority granted by this Commission on February 4, 1997, in Docket C-1436.

New Edge is a Delaware limited liability company that was converted from a Delaware corporation on August 27, 2012. New Edge is a wholly-owned subsidiary of EarthLink. New Edge is authorized to provide interexchange telecommunications services and resold and facilities-based local exchange telecommunications services pursuant to the authority granted by this Commission on November 30, 1999, in Docket C-2127 and on December 21, 1999, in Docket C-2128, respectively.

Description of the Restructuring

Both of the entities involved in this application are indirect, wholly-owned subsidiaries of Earthlink and are already operating under a common management structure. The Applicants propose to complete a series of *pro forma* intra-company changes to consolidate EarthLink's corporate structure, realign operating units to eliminate unnecessary intermediate companies, and assure greater customer service. Under the proposed changes, EarthLink Business Holdings, LLC, will become the new direct parent company of New Edge and ITC^DeltaCom, Inc., will become the new direct parent company of DeltaCom. Also, as a result of these *pro forma* changes, both New Edge and DeltaCom have been converted from corporations to limited liability companies. Upon consummation of the proposed changes, there will be no change in the ultimate ownership of the Applicants.

Applicants state that there will be no transfer of customers as a result of these changes. All customers of New Edge and DeltaCom will continue to be served by the same companies and will continue to receive invoices for service from EarthLink Business under the same rates, terms, and conditions of service as provided by EarthLink Business before the changes. As a result, all changes will be seamless and transparent to customers in Nebraska.

Name Change

DeltaCom requests that the Commission enter an order approving its name change to "DeltaCom, LLC." The converted entity has been registered with the Nebraska Secretary of State as a foreign limited liability company. The adoption of the new name will have no affect on rates,

terms, or conditions of service offered to Nebraska customers.

New Edge requests that the Commission enter an order approving its name change to "EarthLink Business, LLC." The converted entity has been registered with the Nebraska Secretary of State as a foreign limited liability company. The adoption of the new name will have no affect on rates, terms, or conditions of service offered to Nebraska customers.

Based on all the evidence adduced, the Commission is of the opinion the application is fair and reasonable and in the public interest. Therefore, the application should be granted.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-4526 be, and it is hereby, granted and the requested *pro forma* intra-company changes are approved.

IT IS FURTHER ORDERED that the request of DeltaCom, Inc., to change its name to DeltaCom, LLC is approved.

IT IS FURTHER ORDERED that the request of New Edge Network, Inc., to change its name to EarthLink Business, LLC is approved.

IT IS FINALLY ORDERED that both DeltaCom and EarthLink Business file their updated tariffs reflecting the change in names within 30 days of the date of this order.

MADE AND ENTERED at Lincoln, Nebraska, this 19th day of
November, 2012.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application No. C-4526

Page 4

MADE AND ENTERED at Lincoln, Nebraska, this 19th day of
November, 2012.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Tim Schram

David Lutz

//s//Rod Johnson
//s//Frank Landis

Chairman

Rod Johnson

ATTEST:

Theresa H. H. H.

Executive Director