

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: October 21, 2019

TO: Adam J. Teitzman, Commission Clerk, Office of Commission Clerk

FROM: Margarita Yglesias de Ayala, Public Utility Analyst I, Office of Industry Development & Market Analysis *MYA*

RE: Docket No. 20190162-TX Request for approval of name change on Certificate of Authority No. 7624 from Cbeyond Communications, LLC to Fusion Communications, LLC d/b/a Fusion Communication Services, LLC

Attached is amended letter submitted on behalf of Cbeyond Communications, LLC to notify the Florida Public Service Commission that the Company is changing its name to Fusion Communications, LLC d/b/a Fusion Communication Services, LLC. Please add to docket file. Should you have any questions, you can contact Margarita Yglesias de Ayala at (850) 413-6594.

COMMISSION
CLERK

2019 OCT 21 AM 10:58

RECEIVED-FPSC



151 Southhall Lane, Ste 450
Maitland, FL 32751
P.O. Drawer 200
Winter Park, FL 32790-0200
www.inteserra.com

October 17, 2019
Via E-Mail

Commission Clerk
Office of Commission Clerk & Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

**RE: Cbeyond Communications, LLC - TX486
 Notification of Company Name Change & Intent to Detariff – Amended Request**

Commission Clerk:

This letter is submitted on behalf of Cbeyond Communications, LLC (“Company”) to notify the Florida Public Service Commission (“Commission”) that the Company is changing its name to Fusion Communications, LLC d/b/a Fusion Communication Services, LLC. This name change is only a rebranding and is not part of a transfer or other transaction. The Company is authorized to provide local exchange and competitive telecommunications services within the state of Florida pursuant to Certificate 7624.

This filing replaces in its entirety the Notification of Company Name Change & Intent to Detariff submitted on August 16, 2019.

Enclosed as Exhibit A is a copy of the Amendment to Certificate of Authority on file with the Florida Department of State, Division of Corporations.

In lieu of filing replacement local and access tariffs with the Commission, the Company is opting to make Price Guides available on its website. The Company’s Florida Price Lists, Florida Price List No. 3 (Local Exchange) and Florida Price List No. 4 (Access), currently on file with the Commission, should be withdrawn upon approval of this filing. Price Guides reflecting the new Company name will be available on the Company website at: <http://www.fusionconnect.com/tariffs>. No changes will be made in the Price Guides except to reflect the new Company name and update section numbers and pagination as necessary.

The Company respectfully requests the Commission to change the Company’s name in all Commission records and the Company’s Commission Certificate to Fusion Communications, LLC d/b/a Fusion Communication Services, LLC. Upon approval of this filing, the Company will submit an updated Contact Information Form.

Any questions you may have regarding this filing should be directed to my attention at 407-740-3006 or via email to croesel@inteserra.com. Thank you for your assistance in this matter.

Sincerely,

/s/ Carey Roesel

Carey Roesel
Consultant

cc: R. Sheehan – Fusion (via E-Mail)
 P. Hintz – Fusion (via E-mail)
tms: FLI1902a
Enclosure
CR/sp

Exhibit A
Florida Department of State Documentation

**APPLICATION BY FOREIGN LIMITED LIABILITY COMPANY TO FILE
AMENDMENT TO CERTIFICATE OF AUTHORITY TO TRANSACT
BUSINESS IN FLORIDA**

SECTION I (1-4 must be completed)

1. Name of limited liability Company as it appears on the records of the Florida Department of State: CBEYOND COMMUNICATIONS, LLC

Enter new principal office address, if applicable: _____

(Principal office address
MUST BE A STREET ADDRESS)

Enter new mailing address, if applicable: _____

(Mailing address
MAY BE A POST OFFICE BOX)

2. The Florida document number of this limited liability company is: M00000000909

3. Jurisdiction of its organization: DE

4. Date authorized to do business in Florida: 05/11/2000

SECTION II (5-9 complete only the applicable changes)

5. New name of the limited liability company: FUSION COMMUNICATIONS, LLC
(must contain "Limited Liability Company," "L.L.C.," or "LLC.")

Fusion Communication Services, LLC

(If name unavailable, enter alternate name adopted for the purpose of transacting business in Florida and attach a copy of the written consent of the managers or managing members adopting the alternate name. The alternate name must contain "Limited Liability Company," "L.L.C.," or "LLC.")

6. If amending the registered agent and/or registered officer address on our records, enter the name of the new registered agent and/or the new registered office address here:

Name of New Registered Agent: _____

New Registered Office Address: _____

Enter Florida Street Address

_____, Florida _____
City Zip Code

New Registered Agent's Signature, if changing Registered Agent:

I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent as provided for in Chapter 605, F.S. Or, if this document is being filed to merely reflect a change in the registered office address, I hereby confirm that the limited liability company has been notified in writing of this change.

If Changing Registered Agent, Signature of New Registered Agent

2019 JUL 15 PM 10:09
SECRETARY OF STATE
HALL OF RECORDS
TALLAHASSEE, FLORIDA 32399

7. If the amendment changes the jurisdiction of organization, indicate new jurisdiction:

8. If the amendment changes person, title or capacity in accordance with 605.0902 (1)(e), indicate that change:

<u>Title/ Capacity</u>	<u>Name</u>	<u>Address</u>	<u>Type of Action</u>
_____	_____	_____	<input type="checkbox"/> Add
_____	_____	_____	<input type="checkbox"/> Remove
_____	_____	_____	<input type="checkbox"/> Add
_____	_____	_____	<input type="checkbox"/> Remove
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_____	_____	_____	<input type="checkbox"/> Add
_____	_____	_____	<input type="checkbox"/> Remove

2013 JUL 15 PM 10: 03

9. Attached is a certificate, if required, no more than 90 days old, evidencing the aforementioned amendment(s) duly authenticated by the official having custody of records in the jurisdiction under the law of which this entity is organized.

James P. Penetta Jr.
 Signature of the authorized representative

James P. Penetta Jr.
 Typed or printed name of signee

Filing Fee: \$25.00

Delaware

Page 1


The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THAT THE SAID "CBEYOND COMMUNICATIONS, LLC", FILED A CERTIFICATE OF AMENDMENT, CHANGING ITS NAME TO "FUSION COMMUNICATIONS, LLC" ON THE FIFTEENTH DAY OF AUGUST, A.D. 2018, AT 11:33 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID LIMITED LIABILITY COMPANY IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE NOT HAVING BEEN CANCELLED OR REVOKED SO FAR AS THE RECORDS OF THIS OFFICE SHOW AND IS DULY AUTHORIZED TO TRANSACT BUSINESS.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "FUSION COMMUNICATIONS, LLC" WAS FORMED ON THE TWENTY-SECOND DAY OF OCTOBER, A.D. 1999.




Jeffrey W. Bullock, Secretary of State

3115222 8320
SR# 20195963662

Authentication: 203213441

Date: 07-15-19

You may verify this certificate online at corp.delaware.gov/authver.shtml


Delaware

Page 1

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "CBEYOND COMMUNICATIONS, LLC", CHANGING ITS NAME FROM "CBEYOND COMMUNICATIONS, LLC" TO "FUSION COMMUNICATIONS, LLC", FILED IN THIS OFFICE ON THE FIFTEENTH DAY OF AUGUST, A.D. 2018, AT 11:33 O`CLOCK A.M.




Jeffrey W. Bullock, Secretary of State

3115222 8100
CD# 201801715507

Authentication: 202361086
Date: 02 04 18

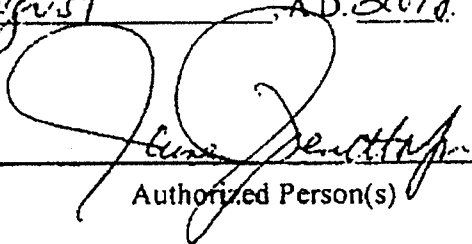
STATE OF DELAWARE CERTIFICATE OF AMENDMENT

1. Name of Limited Liability Company: Cbeyond Communications, LLC

2. The Certificate of Formation of the limited liability company is hereby amended as follows:

The LLC name is changed to:
Fusion Communications, LLC

IN WITNESS WHEREOF, the undersigned have executed this Certificate on
the 14th day of August, A.D. 2018.

By: 
Authorized Person(s)

Name: James Prenetta

Print or Type