



# Public Service Commission

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COMMISSION CLERK  
*[Handwritten signatures]*

**DATE:** August 15, 2007

**TO:** Ann Cole, Commission Clerk - PSC, Office of Commission Clerk

**FROM:** Melinda H. Watts, Engineering Specialist III, Division of Competitive Markets & Enforcement *[Signature]*  
Lee Eng Tan, Senior Attorney, Office of the General Counsel *[Signature]*

**RE:** Docket No. 070190-TP - Application of Florida Digital Network, Inc. d/b/a FDN Communications, holder of CLEC Certificate No. 5715 and IXC Registration No. TJ246, and FDN, LLC, d/b/a FDN Communications; for transfer and name change of CLEC Certificate No. 5715 from Florida Digital Network, Inc. d/b/a FDN Communications to FDN, LLC d/b/a FDN Communications; acknowledgment of cancellation of IXC Registration No. TJ246; acknowledgment of registration as an IXC and adoption of Florida Digital Network, Inc. d/b/a FDN Communications' IXC tariff by FDN, LLC d/b/a FDN Communications, effective on notification by companies that merger has been completed; and for waiver of carrier selection requirements of Rule 25-4.118, F.A.C.

On April 10, 2007, this Commission received contact information for registration as an IXC from FDN, LLC. FDN, LLC is acquiring the assets and customer base of Florida Digital Network, Inc. d/b/a FDN Communications and will be adopting its tariff. Upon notification that the merger is complete and Florida Digital Network, Inc. d/b/a FDN Communications has relinquished its right to the fictitious name "FDN Communications," FDN, LLC will change its name to FDN, LLC d/b/a FDN Communications. Thus, on the effective date of IXC registration, the company's name will be FDN, LLC d/b/a FDN Communications. Staff has determined that the documents received meet the requirements of Section 364.02(13), Florida Statutes.

FDN, LLC d/b/a FDN Communications is assigned TK146 as its IXC Registration Number for the state of Florida. As required by Section 2.07.C.5.h., Administrative Procedures Manual, the company has provided the required contact information and is adopting Florida Digital Network, Inc. d/b/a FDN Communications' IXC tariff. FDN, LLC d/b/a FDN Communications is acknowledged as a registered intrastate interexchange telecommunications company effective May 31, 2007.

Additionally, Florida Digital Network, Inc. d/b/a FDN Communications has requested cancellation of its IXC tariff and Registration No. TJ246, effective May 31, 2007. The company has complied with the provision of Rule 25-24.474(2), Florida Administrative Code, by providing adequate notice in writing of its request for cancellation. In addition, Florida Digital Network, Inc. d/b/a FDN Communications paid the 2007 Regulatory Assessment Fee, as

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required in Section 364.336, Florida Statutes. If Florida Digital Network, Inc. d/b/a FDN Communications commences operations in Florida as an intrastate interexchange carrier in the future, a new registration must be filed.

Finally, FDN, LLC's request for transfer and name change on CLEC Certificate No. 5715 from Florida Digital Network, Inc. d/b/a FDN Communications to FDN, LLC d/b/a FDN Communications was approved in Proposed Agency Action Order No. PSC-07-0361-PAA-TP on April 26, 2007, and made final and effective on May 21, 2007, with Consummating Order No. PSC-07-0436-CO-TP. The effective date of the name change was not stipulated in the Commission's Order, but was left open pending notification from the company that the transaction was complete. The company notified the Commission on June 18, 2007, that the transaction was complete and that the effective date of the name change on CLEC Certificate No. 5715 should be May 31, 2007.

Accordingly, with this Memorandum, Docket No. 070190-TP should be closed administratively.

cc: CLK (2)

*OK to close  
9-4-07  
J/J*