



BOULT ■ CUMMINGS®  
CONNERS ■ BERRY PLC

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January 28, 2008

Eddie Roberson, Chairman  
Tennessee Regulatory Authority  
460 James Robertson Pkwy.  
Nashville, TN 37243-0505

filed electronically in docket office on 01/28/08

***Re: In re: Petition of Southern Digital Network, Inc. d/b/a FDN Communications  
and NuVox Communications, Inc. for Approval of an Internal Corporate  
Reorganization and Transfer of Customer Base  
Docket Number: 07-00231***

***Request for Cancellation of Certificate and Notice of FCC Filing***

Dear Chairman Roberson:

The above-captioned merger closed on December 31, 2007. In view of the TRA's approval of this transaction (Order issued December 17, 2007) and the completion of the customer transfer from Southern Digital Network, Inc. ("SDN") to NuVox, effective December 31, 2007, NuVox asks that the Authority cancel the intrastate certificate of SDN (see Docket 04-00095), effective December 31, 2007.

As requested by the Authority staff, I have also attached the filing made by NuVox at the FCC to implement the transfer of customers requested in this docket.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By:

  
Henry Walker

HW/djc  
Enclosure

LAW OFFICES

1761382 v1  
101754-001 1/28/2008 1600 DIVISION STREET • SUITE 700 • P.O. BOX 340025 • NASHVILLE - TN - 37203  
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DIRECT LINE: (202) 342-8552

EMAIL: mconway@kelleydrye.com

November 29, 2007

**DATE STAMP & RETURN**

**BY HAND DELIVERY**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, S.W.  
Washington, D.C. 20554

**FILED/ACCEPTED**

**NOV 29 2007**

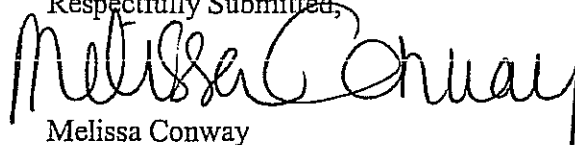
Federal Communications Commission  
Office of the Secretary

Re: **CC Docket No. 00-257:** Notification of Transfer of Subscribers from  
FDN, LLC f/k/a NuVox Transition Subsidiary, LLC and Southern Digital  
Network, Inc. to NuVox Communications, Inc. Pursuant to 47 C.F.R.  
Section 64.1120

Dear Ms. Dortch:

Enclosed please find an original and four (4) copies of the above-referenced notification. Also enclosed is a duplicate copy of this filing. Please date-stamp the duplicate upon receipt and return it in the envelope provided. Should you have any questions with respect to this matter, please contact Melissa Conway at (202) 342-8552.

Respectfully Submitted,



Melissa Conway

Enclosures

cc: Best Copy & Printing, Inc.

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November 29, 2007

**BY HAND DELIVERY**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: Notification of Transfer of Subscribers from FDN, LLC f/k/a NuVox  
Transition Subsidiary, LLC and Southern Digital Network, Inc. to  
NuVox Communications, Inc. – CC Docket No. 00-257

Dear Ms. Dortch:

Pursuant to Section 64.1120 of the Commission's rules, 47 C.F.R. § 64.1120, NuVox Communications, Inc. ("NuVox"), by its counsel, respectfully notifies the Commission that, in furtherance of an internal corporate reorganization undertaken by its parent corporation, NuVox, Inc., NuVox intends to acquire all of the customers of FDN, LLC f/k/a NuVox Transition Subsidiary, LLC ("FDN") and Southern Digital Network, Inc. ("SDN"), existing state operating subsidiaries of NuVox, Inc. NuVox is complying with the Commission's rules and procedures governing compliance with section 258 of the Communications Act of 1934, as amended, including the provision of advanced written notice to all affected customers. In conformity with Commission rules, NuVox provides the following information:

***Parties to the Transaction:*** The parties involved in the transaction are NuVox Communications, Inc. (the acquiring carrier), FDN, LLC f/k/a NuVox Transition Subsidiary, LLC and Southern Digital Network, Inc. All the parties to the transaction are subsidiaries of NuVox, Inc.

KELLEY DRYE & WARREN LLP

**BY HAND DELIVERY**

Marlene H. Dortch, Secretary

November 29, 2007

Page Two

***Types of Telecommunications Services Provided to the Affected Subscribers:***

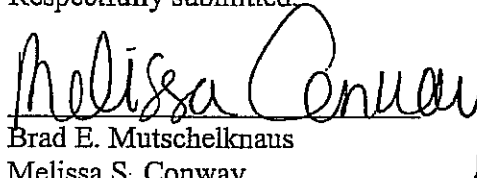
FDN and SDN currently provide competitive local exchange, long distance (domestic and international), and data services to their subscribers. NuVox will provide the same services to these subscribers.

***Date of Transfer of the Subscribers to Acquiring Carrier:*** FDN and SDN intend to transfer all of their subscribers to NuVox on January 1, 2008 or as soon thereafter as all necessary regulatory approvals have been obtained.

Attached to this letter are (a) NuVox's certification of compliance with the requirements of the Commission governing transfers of subscribers, and (b) copies of the notices sent to the affected subscribers, as required under the rules. The customer notices were mailed to the affected customers on November 27, 2007.

Please contact the undersigned if you have any questions concerning this notification.

Respectfully submitted,



Brad E. Mutschelknaus

Melissa S. Conway

KELLEY DRYE & WARREN LLP

3050 K Street, N.W., Suite 400

Washington, D.C. 20007

(202) 342-8552

Counsel for NuVox, Inc. and subsidiaries

Attachments

**ATTACHMENT A**  
**CERTIFICATION OF COMPLIANCE**

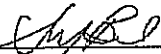
**CERTIFICATION OF NuVOX COMMUNICATIONS, INC.**

The undersigned hereby certifies as follows:

1. I have read the foregoing document and hereby verify that the statements therein are true, complete and correct to the best of my knowledge.

2. In accordance with Section 64.1120(e) of the Commission's rules, 47 C.F.R. §64.1120, NuVox Communications, Inc. has complied with the required FCC procedures for the acquisition of all of the customers of FDN, LLC f/k/a NuVox Transition Subsidiary, LLC and Southern Digital Network, Inc., including the provision of advanced written notice to all affected subscribers.

**NuVOX COMMUNICATIONS, INC.**

By: 

Name: Susan J. Berlin

Title: V.P., Senior Regulatory Counsel

Date: 11-29-2007

Sworn and subscribed to before me this  
29<sup>th</sup> day of November 2007.

  
Notary Public

My Commission expires: 05-12-2014

# **ATTACHMENT B**

## **CUSTOMER NOTICES**







TWO NORTH MAIN ST  
GREENVILLE, SC 29601-9952

Address Service Requested

MM/DD/YY

12340000123 PRESORT 3DG P1 C2 <B4>  
6 1 AB 0.317



JOE CUSTOMER  
123 MAIN ST  
ANYTOWN AZ 12345-6789

## IMPORTANT NOTICE REGARDING YOUR TELEPHONE SERVICE

Dear FDN Communications Customer:

As you are aware from a prior notice earlier this year, an acquisition subsidiary of Nuvox, Inc. ("NuVox") merged with FDN Communications. We are now pleased to announce that beginning January 1, 2008, FDN Communications ("FDN") will be reorganized and become part of NuVox Communications, another NuVox subsidiary. As an existing customer, the only change you will see will be a change in the name of your provider from FDN to NuVox Communications. Your services, i.e. local, long distance, data, or CPE will remain with the NuVox family of companies, as before.

NuVox is a rapidly growing integrated communications services provider serving customers in 48 markets in 16 contiguous Midwestern and Southeastern states. In an effort for NuVox to streamline its corporate structure, NuVox plans to merge FDN with NuVox Communications through a series of internal transactions. No action on your part is required. You will continue to use the same telephone numbers and services you currently do and, of course, there will be no fees or charges to you in connection with the transaction. As a NuVox Communications customer, you will continue to receive telecommunications services at the same rates, terms and conditions specified in your existing contract with FDN or, if applicable, filed and/or posted tariffs. NuVox Communications will notify you of any future changes in rates, terms and conditions of service as required by the terms of your existing contract or by law.

NuVox anticipates that the date for the reorganization will be January 1, 2008, provided any necessary regulatory approvals have been obtained; and, at that time, the name of your service provider will become NuVox Communications. NuVox realizes that you have a choice of telecommunications carriers, and you may choose another carrier at any point. If you choose to remain with FDN as of the January 1, 2008 reorganization, you will automatically become a NuVox Communications customer and your customer service agreement will be assigned to NuVox Communications. Please note that if you have a term contract with FDN you will still be responsible for any applicable early contract termination charges if you choose a service provider other than NuVox Communications.

If you have placed a "freeze" on your FDN services to prevent their unauthorized transfer to another carrier, the freeze will be effectively removed to carry out the reorganization to NuVox Communications. At your request, NuVox Communications will reestablish freeze protection for you after the transfer.

If you have any questions about the reorganization or about NuVox in general, please visit [www.nuvox.com](http://www.nuvox.com) or call 877-433-6435. For all questions regarding billing, repairs, service needs or complaints, please contact NuVox Communications at 877-433-6435.

We look forward to continuing to provide service to you!

Cordially,  
NuVox, Inc.

**CERTIFICATION OF NUVOX COMMUNICATIONS, INC.**

The undersigned hereby certifies as follows:

1. I have read the foregoing document and hereby verify that the statements therein are true, complete and correct to the best of my knowledge.
2. In accordance with Section 64.1120(e) of the Commission's rules, 47 C.F.R. §64.1120, NuVox Communications, Inc. has complied with the required FCC procedures for the acquisition of all of the customers of FDN, LLC f/k/a NuVox Transition Subsidiary, LLC and Southern Digital Network, Inc., including the provision of advanced written notice to all affected subscribers.

**NUVOX COMMUNICATIONS, INC.**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Sworn and subscribed to before me this  
\_\_\_\_ day of November 2007.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_