

# September 21, 2011 Via Overnight Delivery

Ms. Sharla Dillon Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, Tennessee 37243-0505

Filed electronically in TRA Docket Room 09/21/11

Re:

Docket Number 11-00149

CTC Communications Corp. d/b/a One Communications Name Change to

CTC Communications Corp. d/b/a EarthLink Business I

Dear Ms. Dillon:

Please accept one original and four (4) copies of this amended letter as notification that CTC Communications Corp. d/b/a One Communications is changing the name under which it will provide telecommunications services in Tennessee to CTC Communications Corp. d/b/a EarthLink Business I. This filing replaces the filing originally submitted on September 1, 2011 assigned the above referenced docket number.

CTC is certificated to provide resold interexchange telecommunications by an order dated January 14, 2008 in TRA Docket Number 95-02520 and is operating under Market Regulation.

Included with this filing are the Certificate of Assumed Name registration filed with the Tennessee Secretary of State Division of Business Services and a copy of the customer notice. Also included with this filing is the company's updated Small and Minority-Owned Telecommunications Business Participation Plan. The check in the amount of \$25, representing the filing fee was included with the original filing submitted on September 1, 2011.

The Company is in the process of updating its Surety Bond.

This filing has also been submitted via email to sharla.dillon@tn.gov.

Please acknowledge receipt of this filing by date stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided. Any questions you may have pertaining to this filing may be directed to me at (407) 740-3001 or via email to tforte@ tminc.com.

Thank you for your assistance.

Sincerely

Thomas M. Forte

Consultant to CTC Communications Corp.

cc: Mary Whiting (via Email) - EarthLink - CTC

file: EarthLink - CTC - Tennessee - IXC

tms: TNi1101

TF/im

# CTC Communications Corp d/b/a EarthLink Business I

# Exhibit 1

Certificate of Assumed Name registration filed with the Tennessee Secretary of State Division of Business Services



# STATE OF TENNESSEE Tre Hargett, Secretary of State

**Division of Business Services** William R. Snodgrass Tower 312 Rosa L. Parks AVE, 6th FL Nashville, TN 37243-1102

#### CTC COMMUNICATIONS CORP.

May 20, 2011

**5 WALL STREET BURLINGTON, MA 01803** 

# Filing Acknowledgment

Please review the filing information below and notify our office immediately of any discrepancies.

Control #: 377357

Status:

Active

Filing Type: Corporation For-Profit - Foreign

**Document Receipt** 

Receipt #: 476009

Filing Fee:

\$20.00

Payment-Check/MO - CFS, NASHVILLE, TN

\$20.00

Amendment Type: Assumed Name

Image #: 6894-1807

Filed Date:

05/20/2011 9:59 AM

This will acknowledge the filing of the attached assumed name with an effective date as indicated above. When corresponding with this office or submitting documents for filing, please refer to the control number given above. The name registration is effective for five years from the date the

original registration was filed with the Secretary of State.

Secretary of State

Processed By: Jeff Cook

Field Name

Changed From

Changed To

**New Assumed Name** 

No Value

Earthlink Business I

RECEIVED STATE OF TENNESSEE

STATE OF TENHES



Bepartment of State

Corporate Filings
312 Eighth Avenue North
6th Floor, William R. Snodgrass Tower
Nashville, TN 37243

# SECRETARY OF STATE

APPLICATION FOR REGISTRATION OF ASSUMED CORPORATE NAME

I'm I have been look

For Office Use Only

Pursuant to the provisions of Section 48-14-101(d) of the Tennessee Business Corporation Act or Section 48-54-101(d) of the Tennessee Nonprofit Corporation Act, the undersigned corporation hereby submits this application:	
1. The true name of the corporation isCTC COMMUNICATIONS CORP.	
2. The state or country of incorporation is _MA	
3. The corporation intends to transact business in Tennessee under an assumed corporate name.	
4. The assumed corporate name the corporation proposes to use is  BarthLink Business I	
[NOTE: The assumed corporate name must meet the requirements of Section 48-14-101 of the Tennessee Business Corporation Act or Section 48-54-101 of the Tennessee Nonprofit Corporation Act.]	
DU- 27-20U	CTC COMMUNICATIONS CORP.
Signature Date	Name of Corporation
Senior Counsel and Assistant Secretary Signer's Capacity	Signature ( M)
	Tiffani Abbott
	Name (typed or printed)

SS-4402 (Rev. 4/01)

Filing Fee: \$20

RDA1720

# CTC Communications Corp d/b/a EarthLink Business I

# Exhibit 2

**Customer Notice** 



One Communications is an EarthLink Business company

# YOUR INVOICE IS GETTING A NEW LOGO

Company. Although our name has changed, we will continue to support your business with the products, competitive pricing the name under which we do business is expected to be completed within the next few months. Soon after, you will notice your invoice updated with an EarthLink Business logo identifying that One Communications is an EarthLink Business As previously communicated, One Communications is now a part of EarthLink Business. The process of changing and outstanding customer care to which you are accustomed.

Questions? Please contact your Account Manager or our Customer Care department at 1-800-962-2488

CTM-114062

© 2011 EarthLink, Inc. Trademarks are property of their respective owners. All rights reserved.

# **CUSTOMER NOTICE**

One Communications is now part of EarthLink Business, one of the nation's largest business-to-business providers of IP services, integrated communications and equipment solutions. To learn more, please visit earthlinkbusiness.com or contact Customer Care at 1-800-962-2488.

# CTC Communications Corp d/b/a EarthLink Business I

# Exhibit 3

**Updated Small Business Participation Plan** 

CTC Communications Corp.

d/b/a

EarthLink Business I

Small and Minority-Owned Telecommunications Business Participation Plan

**Updated September 2011** 

### 1. Policy

CTC Communications Corp. d/b/a EarthLink Business I ("EarthLink Business I") is fully committed to and acknowledges the importance of supporting the participation of small and minority-owned telecommunications businesses in the telecommunications industry. It is EarthLink Business I's policy to provide opportunities for small and minority-owned telecommunications businesses to compete for contracts and subcontracts for goods and services to EarthLink Business I in connection with its Tennessee operations. EarthLink Business I is committed to the identification and selection of qualified small and minority-owned telecommunications businesses in its procurement processes. In addition, EarthLink Business I is committed to provide information on programs, if any, to provide technical assistance to small and minority-owned telecommunications businesses, when and where available in Tennessee.

#### 2. Goals

The goal of EarthLink Business I's Small and Minority-Owned Telecommunications Business Participation Plan is to identify those small and minority-owned telecommunications businesses that are qualified to provide goods and services, and to promote awareness among such businesses regarding the opportunity to develop business relationships with EarthLink Business I.

# 3. <u>Definitions</u>

As used in this Plan,

- a. "EarthLink Business I" means CTC Communications Corp. d/b/a EarthLink Business I.
- b. "Small Business" means a business with annual gross receipts of less than four million dollars pursuant to T. C. A. § 65-5-212.
- c. "Minority Business" means a business that is solely owned, or at least fifty-one percent of the assets or outstanding stock of which is owned, by an individual who personally manages and controls the daily operations of such business, and who is impeded from normal entry into the economic mainstream because of race, religion, sex or national origin and such business has annual gross receipts of less than four million dollars, pursuant to T. C. A. § 65-5-212.

# 4. Plan Implementation

## a. General

EarthLink Business I will undertake efforts, as described below, to identify eligible small business and minority business providers of goods and services of the type it expects to use in its Tennessee operations. EarthLink Business I will invite bids or proposals, or otherwise solicit offers from small and minority-owned telecommunications businesses to furnish goods and services to EarthLink Business I in connection with its Tennessee operations. Selection of contractors will be based upon price and quality considerations, with full and equal consideration

given to proposals submitted by small business and minority businesses, EarthLink Business I will update this plan annually as required under Tennessee law.

#### b. Plan Administration

The individual responsible for administering this plan is the Vice President, Tax who may be reached at 1375 Peachtree Street, Level A, Atlanta, GA 30309.

# c. Administrator's Responsibilities

The Administrator's responsibilities pursuant to this plan include the following:

- i. obtaining and utilizing available resources for identifying Small Businesses and Minority Businesses interested and qualified in furnishing goods and services to EarthLink Business I and to cultivate an awareness among such businesses as to any opportunities to develop business relations with EarthLink Business I. These resources will include, among others, the following:
  - (1) Chambers of Commerce;
  - (2) the Tennessee Department of Economic and Community

    Development;
  - (3) the U.S. Small Business Administration and the Office of Minority Business of the U.S. Department of Commerce;
  - (4) the National Minority Supplier Development Council;
  - (5) the National Association of Women Business Owners; and
  - (6) the National Association of Minority Contractors.

- ii. Serving as a resource for technical assistance to Small Telecommunications Business and Minority-Owned Telecommunications Business and will refer such businesses to sources of information and other technical assistance.
- iii. Ensuring that procurement packages are structured to maximize the participation of small businesses and minority businesses.
- iv. Ensuring inclusion of small businesses and minority businesses in those solicitations for products or services which they are capable of providing, and ensuring that EarthLink Business I solicitations do not contain any language that may tend to restrict, inhibit or diminish the equitable opportunity for a small business or minority business to compete for contracts.
- v. Coordinating activities during any compliance review conducted by Tennessee state agencies.
- vi. Ensuring that records of solicitations and contract awards are maintained.
- vii. Preparing and submitting annual updates to this Plan.

# 5. <u>Compliance Reports</u>

EarthLink Business I will submit reports, as may be required, for use in connection with subcontracting plans by the Tennessee Regulatory Authority and/or State of Tennessee. EarthLink Business I will cooperate fully with all reasonable and appropriate surveys or studies required by the contracting agency in determining program compliance. However, EarthLink Business I reserves the right to designate documents, reports, surveys and/or studies as "confidential" or "proprietary".

## 6. Record Maintenance

EarthLink Business I will maintain records relating to this Small and Minority Owned Telecommunications Business Plan for the purpose of evidencing the implementation of this policy, for use by EarthLink Business I in evaluating the effectiveness of the Plan and in obtaining the goals of the Plan, and for use in updating the Plan on an annual basis with the Tennessee Regulatory authority, or as otherwise required.