



August 31, 2011  
Via Overnight Delivery

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

Filed electronically in docket room  
09/01/2011  
11-00151

**Re: Business Telecom, Inc. d/b/a BTI Name Change to  
Business Telecom, Inc. d/b/a EarthLink Business III**

Dear Ms. Dillon:

Please accept one original and four (4) copies of this letter as notification that Business Telecom, Inc. d/b/a BTI is changing the name under which it will provide telecommunications services in Tennessee to Business Telecom, Inc. d/b/a EarthLink Business III.

BTI is certificated to provide resold interexchange telecommunications and/or operator services by an order dated September 12, 1995 in TRA Docket No. 95-02947; intrastate operator services and/or resold telecommunications services by an order dated March 12, 1998 in TRA Docket No. 98-00126; and competing local exchange and interexchange services as a reseller and as a facilities-based local exchange provider within Tennessee by an order dated October 7, 1998 in TRA Docket No. 98-00334 and is operating under Market Regulation. Upon approval of this Name Change, the Company will submit its access services tariff with the new name.

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 and a check in the amount of \$25, representing the filing fee. The Company is exempt from the filing of a Surety Bond.

This filing has also been submitted via email to [sharla.dillon@tn.gov](mailto: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](mailto:tforte@tminc.com).

Thank you for your assistance.

Sincerely,

Thomas M. Forte

Consultant to Business Telecom, Inc.

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

file: EarthLink - BTI - Tennessee - Local

tms: TN11101

TF/im

**TECHNOLOGIES MANAGEMENT, INC.**

P.O. BOX 200  
WINTER PARK, FL 32790-0200  
(407) 740-8575

**REGIONS BANK**

63-466/631

**50056**

PAY TO THE  
ORDER OF

Tennessee Regulatory Authority

8/31/2011

Twenty-Five and 00/100\*\*\*\*\* \$ \*\*25.00

Tennessee Regulatory Authority  
460 James Robertson Pkwy.  
Nashville TN 37243

DOLLARS  
Security features  
included.  
Delete on back

MEMO Earthlink-BTI

TECHNOLOGIES MANAGEMENT, INC.

*[Signature]*  
AUTHORIZED SIGNATURE

⑈050056⑈ ⑆063104668⑆ 3720575084⑈

**TECHNOLOGIES MANAGEMENT, INC.**

Tennessee Regulatory Authority  
774.000 · Client reimbursement other

**50056**

8/31/2011

25.00

Amsouth New Operati Earthlink-BTI

TF  
25.00

**Business Telecom, Inc. d/b/a EarthLink Business III**

**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

**BUSINESS TELECOM, INC.**

May 20, 2011

7037 OLD MADISON PIKE  
STE 400  
HUNTSVILLE, AL 35806-5746

**Filing Acknowledgment**

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

**Control # : 238701** Status: Active

Filing Type: Corporation For-Profit - Foreign

**Document Receipt**

Receipt # : 476016	Filing Fee:	\$20.00
Payment-Check/MO - CFS, NASHVILLE, TN		\$20.00

Amendment Type: Assumed Name

Image # : 6894-1811

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.

Tre Hargett  
Secretary of State

Processed By: Jeff Cook

Field Name	Changed From	Changed To
New Assumed Name	No Value	Earthlink Business III

16

RECEIVED  
STATE OF TENNESSEE

2011 MAY 20 AM 9:59

State of Tennessee



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

IRE HARGETT  
SECRETARY OF STATE

APPLICATION FOR  
REGISTRATION OF  
ASSUMED CORPORATE  
NAME

FILED

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 is Business Telecom, Inc.

2. The state or country of incorporation is NC

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  
EarthLink Business III

[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.]

May 9, 2011  
Signature Date

Business Telecom, Inc.  
Name of Corporation

General Counsel and Secretary  
Signer's Capacity

Samuel R. DeSimone, Jr.  
Signature

Samuel R. DeSimone, Jr.  
Name (typed or printed)

6894.1811

**Business Telecom, Inc. d/b/a EarthLink Business III**

**Exhibit 2**

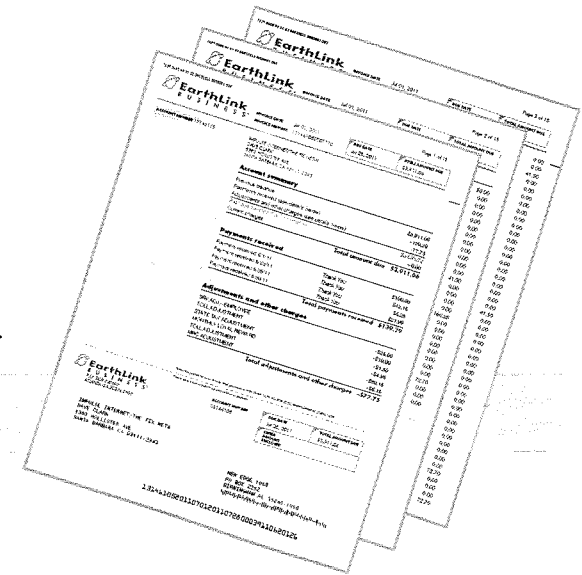
**Customer Notice**

Coming this fall

## YOUR NEW, IMPROVED INVOICE

This fall, watch for your brand-new, improved EarthLink Business customer invoice. Easy to read and analyze, your new bill will include features requested and appreciated by customers, including clear summaries of current charges divided by service type. We hope these enhancements prove useful to your business.

**Questions?** Call Customer Care at **1-866-636-4357**



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**Business Telecom, Inc. d/b/a EarthLink Business III**

**Exhibit 3**

**Updated Small Business Participation Plan**



**Business Telecom, Inc.**

**d/b/a**

**EarthLink Business III**

**Small and Minority-Owned Telecommunications Business Participation Plan**

**Updated August 2011**

**1. Policy**

Business Telecom, Inc. d/b/a EarthLink Business III (“EarthLink Business III”) 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 III’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 III in connection with its Tennessee operations. EarthLink Business III is committed to the identification and selection of qualified small and minority-owned telecommunications businesses in its procurement processes. In addition, EarthLink Business III 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 III’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 III.

**3. Definitions**

As used in this Plan,

- a. “EarthLink Business III” means Business Telecom, Inc. d/b/a EarthLink Business III.
- 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 III 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 III will invite bids or proposals, or otherwise solicit offers from small and minority-owned telecommunications businesses to furnish goods and services to EarthLink Business III 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 III

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 III and to cultivate an awareness among such businesses as to any opportunities to develop business relations with EarthLink Business III. 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 III 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. Compliance Reports**

EarthLink Business III 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 III will cooperate fully with all reasonable and appropriate surveys or studies required by the contracting agency in determining program compliance. However, EarthLink Business III reserves the right to designate documents, reports, surveys and/or studies as “confidential” or “proprietary”.

**6. Record Maintenance**

EarthLink Business III 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 III 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.