

May 24, 2011
Via Electronic Filing

Renée Jenkins, Secretary of Commission Public Utilities Commission of Ohio 180 East Broad Street Columbus, Ohio 43266-0573

RE: Case No.: 11-3155-TP-ACN In the Matter of the Application of Talk America Inc. d/b/a Cavalier Telephone d/b/a Cavalier Business Communications d/b/a Cavalier Telephone and TV to Change Official Name

Dear Ms. Jenkins:

Please accept this Application of Talk America Inc. d/b/a Cavalier Telephone d/b/a Cavalier Business Communications d/b/a Cavalier Telephone and TV to Change its name to Talk America Inc. d/b/a Cavalier Telephone d/b/a PAETEC Business Services d/b/a Cavalier Telephone and TV.

The Company will continue to provide traditional residential telecommunications services under the Cavalier Telephone name and will provide traditional business telecommunications services under the PAETEC Business Services name.

This name change does not affect the rates, terms or conditions of services currently provided to the Company's Ohio customers. The Company respectfully requests this filing to become effective on June 24, 2011.

Please acknowledge receipt of this filing by sending a stamped copy of this filing to <u>imennens@tminc.com</u>. Any questions you may have regarding this filing may be directed to me at (407) 740-3031 or via email at sthomas@tminc.com.

Sincerely,

/s/Sharon Thomas
Sharon Thomas, Consultant to
Talk America Inc.

ST/im/ Enclosure

cc: M. Ring, Talk I (Cover Letter Only)

K. Hoagland, Talk(Cover Letter Only)

File: Talk - OH CLEC

Talk - OH Access

TMS: OHI1101

The Public Utilities Commission of Ohio TELECOMMUNICATIONS FILING FORM

(Effective: 01/20/2011)

This form is intended to be used with most types of required filings. It provides check boxes with rule references for the most common types of filings. It does not replace or supersede Commission rules in any way.

In the Matter of the Application of Talk America Inc. d/b/a Cavalier Telephone d/b/a Cavalier Business Communications d/b/a Cavalier Telephone and TV to Change Official Name TRF Docket No. 90-5752 Case No. 11- 3155-TP NOTE: Unless you have reserve BLANK.	
Name of Registrant(s) Talk America Inc.	
DBA(s) of Registrant(s) d/b/a Cavalier Telephone d/b/a Cavalier Business Communications d/b/a C	Cavalier Telephone and TV
Address of Registrant(s) 2134 W. Laburnum, Richmond, Virginia 23227	
Company Web Address <u>www.cavtel.com</u>	
Regulatory Contact Person(s) Margaret H. Ring, Director Regulatory Phone 850.465.174	8 Fax 850.432.0218
Regulatory Contact Person's Email Address mhring@cavtel.com	
Contact Person for Annual Report Kimberly Geuder, Technologies Management, Inc.	Phone <u>407.740.3039</u>
Address (if different from above) 2600 Maitland Center Parkway, Suite 300, Maitland, FL 32751	
Consumer Contact Information <u>Tina Neff</u>	Phone 877.890.9515
Address (if different from above) One Martha's Way, Hiawatha, IA 52233	
Motion for protective order included with filing? Yes No	
Motion for waiver(s) filed affecting this case? 🗌 Yes 🗹 No [Note: Waivers may toll any autor	natic timeframe.]
Notes:	

Section I and II are Pursuant to Chapter 4901:1-6 OAC

Section III - Carrier to Carrier is Pursuant to 4901:1-7 OAC, and Wireless is Pursuant to 4901:1-6-24 OAC.

Section IV - Attestation

- (1) Indicate the Carrier Type and the reason for submitting this form by checking the boxes below.
- (2) For requirements for various applications, see the identified section of Ohio Administrative Code Section 4901 and/or the supplemental application form noted.
- (3) Information regarding the number of copies required by the Commission may be obtained from the Commission's web site at www.puco.ohio.gov under the docketing information system section, by calling the docketing division at 614-466-4095, or by visiting the docketing division at the offices of the Commission.
- (4) An Incumbent Local Exchange Carrier (ILEC) offering basic local exchange service (BLES) outside its traditional service area should choose CLEC designation when proposing to offer BLES outside its traditional service area or when proposing to make changes to that service.

All Filings that result in a change to one or more tariff pages require, at a minimum, the following exhibits.

Exhibit	Description:
A	The tariff pages subject to the proposed change(s) as they exist before the change(s)
В	The Tariff pages subject to the proposed change(s), reflecting the change, with the change(s) marked in the right margin.
С	A short description of the nature of the change(s), the intent of the change(s), and the customers affected.
D	A copy of the notice provided to customers, along with an affidavit that the notice was provided according to the applicable rule(s).

Section I – Part I - Common Filings

Carrier Type Other (explain below)	For Pro	fit ILEC	Not For	Profit ILEC		CL	EC
Change terms & condition existing BLES	ns of ATA <u>1-6.</u> (Auto 30 days			ATA <u>1-6</u> (Auto 30 day		(A		A <u>1-6-14(H)</u> 0 days)
Introduce non-recurring ch surcharge, or fee to BLES	arge,					(A		A <u>1-6-14(H)</u> 0 days)
Introduce or Increase Late	Payment	ATA 1. (Auto 30 da	ys)	ATA 1-6 (Auto 30 day		(A		A <u>1-6-14(I)</u> 0 days)
Revisions to BLES Cap.		2TA <u>1-</u> (0 day Notic	ce)					
Introduce BLES or expand service area (calling area)	local	O day Notice		(0 day Notice		(0		A <u>1-6-14(H)</u> Notice)
Notice of no obligation to facilities and provide BLE		ZTA 1-1 (0 day Notice		ZTA <u>1-6</u> (0 day Notice				
Change BLES Rates		TRF <u>1-0</u> (0 day Notic		TRF <u>1-6-</u> (0 day Notice		(0		F <u>1-6-14(G)</u> Notice)
To obtain BLES pricing flo	exibility	BLS <u>1-6</u> (C)(1)(c) (Auto 30 da						
Change in boundary		ACB <u>1-6-32</u> (Auto 14 days)		ACB <u>1-6-32</u> (Auto 14 days)				
Expand service operation a	rea							F <u>1-6-08(G)(</u> 0 day)
BLES withdrawal						(0		A <u>1-6-25(B)</u> Votice)
Other* (explain)								
Section I – Part II – Cus Type of Notice		ification Of		suant to Chapt	er <u>4901:1-6-7</u> Bill Nota			Electronic Mail
Type of Notice	Direc	t Man	DIII	Insert .	Din Nota	LIUI		Electionic Man
15-day Notice								
30-day Notice								
Date Notice Sent:								
Section I – Part III –IOS	S Offerings	Pursuant to	Chapter 490)1:1-6-22 OAC				
IOS	Introdu	ce New	Tariff	Change	Price Cha	nge		Withdraw
☐ IOS								

Section II - Part I - Carrier Certification - Pursuant to Chapter 4901:1-6-08, 09 & 10 OAC

Certification	ILEC	CLEC	Carrier's Not	CESTC	CETC
Cermication	(Out of Territory)		Offering BLES		
* See Supplemental	ACE <u>1-6-08</u>	ACE <u>1-6-08</u>	ACE <u>1-6-</u> 08	☐ ACE <u>1-6-</u> 10	UNC <u>1-6-</u> 09
form	* (Auto 30- day)	*(Auto 30 day)	*(Auto 30 day)	(Auto 30 day)	*(Non-Auto)

^{*}Supplemental Certification forms can be found on the Commission Web Page.

Section II - Part II - Certificate Status & Procedural

Certificate Status	ILEC	CLEC	Carrier's Not Offering BLES
Abandon all Services		ABN <u>1-6-26</u> (Auto 30 days)	ABN <u>1-6-26</u> (Auto 30 days)
Change of Official Name *	ACN <u>1-6-29(B)</u> (Auto 30 days)	ACN <u>1-6-29(B)</u> (Auto 30 days)	CIO <u>1-6-29(C)</u> (0 day Notice)
Change in Ownership *	ACO <u>1-6-29(E)</u> (Auto 30 days)	ACO <u>1-6-29(E)</u> (Auto 30 days)	☐ CIO <u>1-6-29(C)</u> (0 day Notice)
Merger *	AMT <u>1-6-29(E)</u> (Auto 30 days)	AMT <u>1-6-29(E)</u> (Auto 30 days)	☐ CIO <u>1-6-29(C)</u> (0 day Notice)
Transfer a Certificate *	ATC <u>1-6-29(B)</u> (Auto 30 days)	ATC <u>1-6-29(B)</u> (Auto 30 days)	☐ CIO <u>1-6-29(C)</u> (0 day Notice)
Transaction for transfer or lease of property, plant or business *	ATR <u>1-6-29(B)</u> (Auto 30 days)	ATR <u>1-6-29(B)</u> (Auto 30 days)	CIO <u>1-6-29(C)</u> (0 day Notice)

^{*} Other exhibits may be required under the applicable rule(s). ACN, ACO, AMT, ATC, ATR and CIO applications see the 4901:1-6-29 Filing Requirements on the Commission's Web Page for a complete list of exhibits.

Section III - Carrier to Carrier (Pursuant to 4901:1-7), and Wireless (Pursuant to 4901:1-6-24)

Carrier to Carrier	ILEC	CLEC
Interconnection agreement, or amendment to	☐ NAG <u>1-7-07</u>	☐ NAG <u>1-7-07</u>
an approved agreement	(Auto 90 day)	(Auto 90 day)
Request for Arbitration	☐ ARB <u>1-7-09</u> (Non-Auto)	ARB <u>1-7-09</u> (Non-Auto)
Introduce or change c-t-c service tariffs,	☐ ATA <u>1-7-14</u> (Auto 30 day)	ATA <u>1-7-14</u> (Auto 30 day)
Request rural carrier exemption, rural carrier	UNC <u>1-7-04</u> or 05	
suspension or modification	(Non-Auto)	
Changes in rates, terms & conditions to Pole	UNC 1-7-23(B)	
Attachment, Conduit Occupancy and Rights-of-Way.	(Non-Auto)	
	RCC	□NAG
Wireless Providers See 4901:1-6-24	[Registration &	[Interconnection
	Change in Operations]	Agreement or

Registrant hereby attests to its compliance with pertinent entries and orders issued by the Commission.

AFFIDAVIT

Compliance with Commission Rules

I am an agent of the applicant corporation, Talk America Inc., and am authorized to make this statement on its behalf.

Please Check ALL that apply:

I attest that these tariffs comply with all applicable rules for the state of Ohio. I understand that tariff notification filings do not imply Commission approval and that the Commission's rules as modified and clarified from time to time, supersede any contradictory provisions in our tariff. We will fully comply with the rules of the state of Ohio and understand that noncompliance can result in various penalties, including the suspension of our certificate to operate within the state of Ohio.

I attest that customer notices accompanying this filing form were sent to affected customers, as specified in Section II, in accordance with Rule 4901:1-6-7, Ohio Administrative Code.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on (Date) May 24, 2011

at (Location) Maitland, Florida

/s/Sharon Thomas

*(Signature and Title)

(Date) May 24, 2011

Sharon Thomas, Consultant to Talk America Inc.

• This affidavit is required for every tariff-affecting filing. It may be signed by counsel or an officer of the applicant, or an authorized agent of the applicant.

VERIFICATION

I, Sharon Thomas verify that I have utilized the Telecommunications Filing Form for most proceedings provided by the Commission and that all of the information submitted here, and all additional information submitted in connection with this case, is true and correct to the best of my knowledge.

/s/Sharon Thomas

*(Signature and Title)____

(Date) May 24, 2011

Sharon Thomas, Consultant to Talk America Inc.

*Verification is required for every filing. It may be signed by counsel or an officer of the applicant, or an authorized agent of the applicant.

Send your completed Application Form, including all required attachments as well as the required number of copies, to:

Public Utilities Commission of Ohio Attention: Docketing Division 180 East Broad Street, Columbus, OH 43215-3793

Or

Make such filing electronically as directed in Case No 06-900-AU-WVR

EXHIBIT A

EXISTING TARIFF PAGES

EXHIBIT A-1

EXISTING LOCAL TARIFF PAGES

TALK AMERICA INC. d/b/a Cavalier Telephone d/b/a Cavalier Business Communications d/b/a Cavalier Telephone and TV

First Revised Title Page Cancels Original Title Page

This Tariff PUCO Tariff No. 4, Issued by Talk America Inc. d/b/a Cavalier Telephone, d/b/a Cavalier Business Communications and d/b/a Cavalier Telephone and TV Cancels and Replaces in their Entireties PUCO Tariff No. 1 and PUCO Tariff No. 2.

RATES, TERMS AND CONDITIONS RELATING TO THE PROVISION OF LOCAL AND LONG DISTANCE SERVICES IN THE STATE OF OHIO

BY

TALK AMERICA INC.

d/b/a Cavalier Telephone d/b/a Cavalier Business Communications d/b/a Cavalier Telephone and TV

90-9030-TP-TRF

This Tariff describes the Company's Regulated Local and Long Distance Terms, Conditions, Payments and Rates and Charges.

D, C

The Customer may view the Detariffed / Nonregulated Services not included in this tariff on the Company's website at www.cavtel.com.

Issued:

May 18, 2011

By:

Regulatory Manager 2134 W. Laburnum

Richmond, Virginia 23227

Effective:

May 18, 2011

Case No.

CHECK SHEET

The Page and pages listed below are inclusive and effective as of the date shown. Original and revised pages as named below contain all changes from the original tariff that are in effect on the date shown on each page.

Revision			Revision			Revision		
Sheet No.	Level		Sheet No.	<u>Level</u>		Sheet No.	<u>Level</u>	
Title	First	*	31	Original		60	First	*
1	Fifth	*	32	Original		61	First	*
2	Third	*	33	Original		62	First	*
3	First	*	34	Original		63	First	*
4	First	*	35	Original		64	First	*
5	First	*	36	Original		65	First	*
6	Original		37	Original		66	First	*
7	Original		38	Original		67	First	*
8	Original		39	Second	*	68	First	*
9	Original		39.1	First	*	69	First	*
11	Original		40	First	*	70	First	*
12	Original		41	First	*	71	First	*
13	Original		42	Second	*	72	First	*
14	Original		43	First	*	73	First	*
15	Original		44	First	*	74	First	*
16	Original		45	First	*	75	First	*
17	Original		46	First	*	76	First	*
18	Original		47	First	*	77	First	*
19	Original		48	First	*	78	First	*
20	Original		49	First	*	79	First	*
21	Original		50	First	*	80	First	*
22	Original		51	First	*	81	First	*
23	Original		52	First	*	82	First	*
24	Original		53	First	*	83	First	*
25	Original		54	First	*	84	First	*
26	Original		55	First	*	85	First	*
27	Original		56	First	*	86	First	*
28	Original		57	First	*	87	First	*
29	Original		58	First	*	88	First	*
30	Original		59	First	*	88.0.1	First	*
	Ü					88.1	First	*

^{*} Indicates Tariff Pages Included with this Filing.

Issued: May 18, 2011

By:

Regulatory Manager

Richmond, Virginia 23227

2134 W. Laburnum

Effective:

May 18, 2011

EXHIBIT A-2

EXISTING ACCESS TARIFF PAGES

d/b/a Cavalier Telephone d/b/a Cavalier Business Communications d/b/a Cavalier Telephone and TV

PUCO Tariff No. 3 First Revised Title Sheet Cancels Original Title Sheet

(N)

(N)

CARRIER-TO-CARRIER SERVICES

TITLE SHEET

P.U.C.O. NO. 3

TALK AMERICA INC.

d/b/a Cavalier Telephone d/b/a Cavalier Business Communications d/b/a Cavalier Telephone and TV

CARRIER-TO-CARRIER SERVICES

(N)

(N)

(D)

This tariff, filed with the Public Utilities Commission of Ohio contains the rates, terms and conditions applicable to Carrier-to-Carrier Services provided by Talk America Inc. d/b/a Cavalier Telephone d/b/a Cavalier Business Communications and also d/b/a Cavalier Telephone and TV within the State of Ohio. This tariff is on file with the Public Utilities Commission of Ohio. Copies may be inspected during normal business hours at the Company's principal place of business at 6805 Route 202, New Hope, Pennsylvania 18938.

(T)

(T)

Issued: January 24, 2007

Effective:

February 24, 2007

By:

Marty Clift, Vice President Regulatory Affairs (T) 2134 W. Laburnum (T) Cas

Case No. 07- -TP-ACN

Richmond, Virginia 23227 (T)

OHA0702

d/b/a Cavalier Telephone d/b/a Cavalier Business Communications d/b/a Cavalier Telephone and TV PUCO Tariff No. 3 Third Revised Page 1 Cancels Second Revised Page 1

CARRIER-TO-CARRIER SERVICES

CHECK SHEET

Sheets of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

SHEET	REVISION		SHEET	REVISION
Title Sheet	First			
1	Third	*	31	Original
2 3	First	*	32	Original
	Original		33	Original
4	Original		34	Original
5	Original		35	Original
6	Original		36	Original
7	Original		37	Original
8	Original		38	Original
9	Original		39	Original
10	Original		40	Original
11	Original		41	Original
12	Original		42	Original
13	Original		43	Original
14	Original		44	Original
15	Original		45	Original
16	Original		46	Original
17	Original		47	Original
18	Original		48	Original
19	First		49	Original
20	Original		50	Original
21	Original		51	Original
22	Original		52	Original
23	Original		53	Original
24	Original		54	Original
25	Original		55	Original
26	Original		56	Original
27	Original		57	Original
28	Original		58	Original
29	Original		59	Original
30	Original		60	Original

^{*}Indicates pages submitted with most recent filing.

Issued: September 22, 2008

Effective:

September 29, 2008

By:

TALK AMERICA INC. EXHIBIT B

PROPOSED REVISED TARIFF PAGES

EXHIBIT B-1

PROPOSED REVISED LOCAL TARIFF PAGES

(T)

(T)

RATES, TERMS AND CONDITIONS RELATING TO THE PROVISION OF LOCAL AND LONG DISTANCE SERVICES

IN THE STATE OF OHIO

BY

TALK AMERICA INC.

d/b/a Cavalier Telephone d/b/a PAETEC Business Services d/b/a Cavalier Telephone and TV

90-9030-TP-TRF

This Tariff describes the Company's Regulated Local and Long Distance Terms, Conditions, Payments and Rates and Charges.

The Customer may view the Detariffed / Nonregulated Services not included in this tariff on the Company's website at www.cavtel.com.

Issued: May 24, 2011 Effective: June 24, 2011

2134 W. Laburnum Richmond, Virginia 23227

CHECK SHEET

The Page and pages listed below are inclusive and effective as of the date shown. Original and revised pages as named below contain all changes from the original tariff that are in effect on the date shown on each page.

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16	Original		45	First	75	First
17	Original		46	First	76	First
18	Original		47	First	77	First
19	Original		48	First	78	First
20	Original		49	First	79	First
21	Original		50	First	80	First
22	Original		51	First	81	First
23	Original		52	First	82	First
24	Original		53	First	83	First
25	Original		54	First	84	First
26	Original		55	First	85	First
27	Original		56	First	86	First
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29	Original		58	First	88	First
30	Original		59	First	88.0.1	First
	-				88.1	First

^{*} Indicates Tariff Pages Included with this Filing.

Issued: May 24, 2011 Effective: June 24, 2011

EXHIBIT B-2

PROPOSED REVISED ACCESS TARIFF PAGES

PUCO Tariff No. 3 First Revised Title Sheet Cancels Original Title Sheet

(T)

CARRIER-TO-CARRIER SERVICES

TITLE SHEET

P.U.C.O. NO. 3

TALK AMERICA INC.

d/b/a Cavalier Telephone d/b/a PAETEC Business Services d/b/a Cavalier Telephone and TV

(T)

CARRIER-TO-CARRIER SERVICES

This tariff, filed with the Public Utilities Commission of Ohio contains the rates, terms and conditions applicable to Carrier-to-Carrier Services provided by Talk America Inc. d/b/a Cavalier Telephone d/b/a PAETEC Business Services d/b/a Cavalier Telephone and TV within the State of Ohio. This tariff is on file with the Public Utilities Commission of Ohio. Copies may be inspected during normal business hours at the Company's principal place of business at 2134 W. Laburnum, Richmond, VA 23227.

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Issued: May 24, 2011 Effective: June 24, 2011

(T)

CARRIER-TO-CARRIER SERVICES

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9	Original		39	Original
10	Original		40	Original
11	Original		41	Original
12	Original		42	Original
13	Original		43	Original
14	Original		44	Original
15	Original		45	Original
16	Original		46	Original
17	Original		47	Original
18	Original		48	Original
19	First		49	Original
20	Original		50	Original
21	Original		51	Original
22	Original		52	Original
23	Original		53	Original
24	Original		54	Original
25	Original		55	Original
26	Original		56	Original
27	Original		57	Original
28	Original		58	Original
29	Original		59	Original
30	Original		60	Original

^{*}Indicates pages submitted with most recent filing.

Issued: May 24, 2011 Effective: June 24, 2011

EXHIBIT C

DESCRIPTION OF CHANGES AND CUSTOMERS AFFECTED

EXHIBIT C

DESCRIPTION OF CHANGES AND CUSTOMERS AFFECTED

This filing changes the Company's name to Talk America Inc. d/b/a Cavalier Telephone d/b/a PAETEC Business Services d/b/a Cavalier Telephone and TV.

The Company will continue to provide traditional residential telecommunications services under the Cavalier Telephone and Cavalier Telephone and TV and will provide traditional business telecommunications services under the PAETEC Business Services name. Customers have been notified of the name change.

TALK AMERICA INC.

EXHIBIT D

CUSTOMER NOTICE



A PAETEC Company

Cavalier Business Communications has become part of the PAETEC family of telecommunications providers. Joining one of the largest competitive providers of telecommunications services in the country will allow us to offer you exciting new products and services as we move forward. For now the only change you will begin to see is in the Cavalier name. Starting next month, your bill will include the PAETEC logo, and by May 1st all Cavalier services will reflect the PAETEC name.



A PAETEC Company

As we mentioned in a bill message last month, Cavalier Business Communications has become part of the PAETEC family. Joining one of the largest competitive providers of telecommunications services in the county will allow us to offer you exciting new products and services as we move forward. This month, your invoice shows both the Cavalier and PAETEC names to help you get used to our new look. Beginning in May, only the PAETEC logo will appear on your bill. Please let us know if you have any questions about the change.

TALK AMERICA INC.

EXHIBIT E

AFFIDAVIT

CUSTOMER NOTICE AFFIDAVIT

AFFIDAVIT

I, Margaret Ring, am an authorized agent of the applicant corporation, Talk America Inc., and am authorized to make this statement on its behalf. I attest that the customer notices accompanying this affidavit were provided to affected customers through bill messages in the billing cycles from March 1, 2011 through April 30, 2011 in accordance with Rule 4901:1-6-07, Ohio Administrative Code. I declare under penalty of perjury that the foregoing is true and correct.

Signature

Margaret H. Ring

Directory - Regulatory Compliance

May 23, 2011

TALK AMERICA INC. EXHIBIT F CERTIFICATE OF AUTHORITY

201111100141

DATE: 04/21/2011 DOCUMENT ID 201111100141

DESCRIPTION
TRADE NAME/ORIGINAL FILING (RNO)

FILING 50.00 EXPED 100.00 PENALTY

CERT .00 COPY

Receipt

This is not a bill. Please do not remit payment.

CT CORPORATION SYSTEM ATTN: JADE HINES 4400 EASTON WAY COLUMBUS, OH 43219

STATE OF OHIO CERTIFICATE

Ohio Secretary of State, Jon Husted

2014496

It is hereby certified that the Secretary of State of Ohio has custody of the business records for

PAETEC BUSINESS SERVICES

and, that said business records show the filing and recording of:

Document(s)

Document No(s):

TRADE NAME/ORIGINAL FILING

Date of First Use:

03/01/2011

Expiration Date:

04/19/2016

201111100141

TALK AMERICA, INC

600 WILLOWBROOK OFFICE PARK

FAIRPORT, NY 14450



United States of America State of Ohio Office of the Secretary of State Witness my hand and the seal of the Secretary of State at Columbus, Ohio this 19th day of April, A.D. 2011.

Ohio Secretary of State

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

5/24/2011 5:09:51 PM

in

Case No(s). 11-3155-TP-ACN

Summary: Application In The Matter of Talk America Inc. d/b/a Cavalier Telephone d/b/a Cavalier Business Communications d/b/a Cavalier Telephone and TV to Change Official Name electronically filed by Ms. Iris D. Mennens on behalf of Talk America Inc.