



151 Southhall Lane, Ste 450  
Maitland, FL 32751  
P.O. Drawer 200  
Winter Park, FL 32790-0200  
[www.inteserra.com](http://www.inteserra.com)

April 13, 2018  
**Via Web Filing**

Ms. Betty McCauley, Commission Secretary  
Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, OH 43215

**RE: Application of Birch Communications, Inc. to Change Company Name to  
BirchComm (Birch Communications, LLC)  
Case No. 18-0655-TP-ACN**

Dear Ms. McCauley:

Please accept this Application as notification that Birch Communications, Inc. ("Birch" or "Company") is changing the Company name to BirchComm (Birch Communications, LLC). Birch was granted a Certificate of Public Convenience and Necessity to provide local exchange and interexchange services, Certificate Number 90-9432, issued pursuant to Case Number 17-2400-TP-ACE.

The Company has converted to a limited liability company and will now operate under the name of BirchComm (Birch Communications, LLC). Enclosed are copies of documentation on the Company's new name on file with the Ohio Secretary of State.

The change in corporate form will have no Customer impact as there will be no change in the name of the Customer's provider and no effect on the rates or services offered to Customers.

Also enclosed with the Application is a revised Title Page for P.U.C.O. Tariff No. 1 (Access).

The Company respectfully requests the Commission to change the Company's name in all Commission records to BirchComm (Birch Communications, LLC) and an effective date of May 13, 2018 for the tariff.

Any questions you may have regarding this filing should be directed to my attention at 407-740-3006 or via email to [croesel@inteserra.com](mailto:croesel@inteserra.com). Thank you for your assistance in this matter.

Sincerely,

/s/ Carey Roesel

Carey Roesel  
Consultant

cc: A. Collins – Cahill, Gordon & Reindel LLP (via Email)  
tms: OHa1803  
CR/sp

*The Public Utilities Commission of Ohio*  
**TELECOMMUNICATIONS FILING FORM**

(Effective: 10-11-2017)

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 Birch Communications, Inc.

) TRF Docket No. 90 - 9432

) Case No. 18 - 0655 - **TP - ACN**

to Change Company Name to BirchComm (Birch Communications, LLC)

) **NOTE: Unless you have reserved a Case #, leave the "Case No" fields BLANK.**

Name of Registrant(s) Birch Communications, Inc.

DBA(s) of Registrant(s) N/A

Address of Registrant(s) 320 Interstate North Parkway, SE, Atlanta, GA 30339

Company Web Address www.birch.com

Regulatory Contact Person(s) Sharyl Fowler, Manager-Regulatory Admin Phone 478-475-9800 Fax 478-405-3112

Regulatory Contact Person's Email Address sharyl.fowler@birch.com

Contact Person for Annual Report Sharyl Fowler, Manager-Regulatory Admin Phone 478-475-9800

Address (if different from above) 115 Gateway Drive, Macon, GA 31210

Consumer Contact Information Angela Howard Phone 816-300-1428

Address (if different from above) 2323 Grand Blvd., Suite 925, Kansas City, MO 64108

Motion for protective order included with filing? ☐ Yes ☒ No

Motion for waiver(s) filed affecting this case? ☐ Yes ☒ No [Note: Waivers may toll any automatic timeframe.]

**Notes:**

Section I and II are Pursuant to Ohio Administrative Code 4901:1-6.

Section III – Carrier to Carrier is Pursuant to Ohio Adm.Code 4901:1-7, and Wireless is Pursuant to Ohio Adm.Code 4901:1-6-24.

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 Adm.Code Chapter 4901 and/or the supplemental application form noted.

(3) Information regarding the number of copies required by the PUCO may be obtained from the PUCO's website at [www.PUCO.ohio.gov](http://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 PUCO.

(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).
B	The tariff pages subject to the proposed change(s), reflecting the change, with the change(s) marked in the right margin.
C	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

<b>Carrier Type</b> <input type="checkbox"/> <b>Other</b> (explain below)	<b>For Profit ILEC</b>	<b>Not For Profit ILEC</b>	<b>CLEC</b>
Change terms & conditions of existing BLES	<input type="checkbox"/> ATA <u>1-6-14(H)</u> (Auto 30 days)	<input type="checkbox"/> ATA <u>1-6-14(H)</u> (Auto 30 days)	<input type="checkbox"/> ATA <u>1-6-14(H)</u> (Auto 30 days)
Introduce non-recurring charge, surcharge, or fee to BLES			<input type="checkbox"/> ATA <u>1-6-14(H)</u> (Auto 30 days)
Introduce or Increase Late Payment	<input type="checkbox"/> ATA <u>1-6-14(I)</u> (Auto 30 days)	<input type="checkbox"/> ATA <u>1-6-14(I)</u> (Auto 30 days)	<input type="checkbox"/> ATA <u>1-6-14(I)</u> (Auto 30 days)
Revisions to BLES Cap	<input type="checkbox"/> ZTA <u>1-6-14(F)</u> (0 day Notice)		
Introduce BLES or expand local service area (calling area)	<input type="checkbox"/> ZTA <u>1-6-14(H)</u> (0 day Notice)	<input type="checkbox"/> ZTA <u>1-6-14(H)</u> (0 day Notice)	<input type="checkbox"/> ZTA <u>1-6-14(H)</u> (0 day Notice)
Notice of no obligation to construct facilities and provide BLES	<input type="checkbox"/> ZTA <u>1-6-27(C)</u> (0 day Notice)	<input type="checkbox"/> ZTA <u>1-6-27(C)</u> (0 day Notice)	
Change BLES Rates	<input type="checkbox"/> TRF <u>1-6-14(F)</u> (0 day Notice)	<input type="checkbox"/> TRF <u>1-6-14(F)(4)</u> (0 day Notice)	<input type="checkbox"/> TRF <u>1-6-14(G)</u> (0 day Notice)
To obtain BLES pricing flexibility	<input type="checkbox"/> BLS <u>1-6-14(C)(1)(c)</u> (Auto 30 days)		
Change in boundary	<input type="checkbox"/> ACB <u>1-6-32</u> (Auto 14 days)	<input type="checkbox"/> ACB <u>1-6-32</u> (Auto 14 days)	
Expand service operation area			<input type="checkbox"/> TRF <u>1-6-08(G)(0 day)</u>
BLES withdrawal			<input type="checkbox"/> ZTA <u>1-6-25(B)</u> (0 day Notice)
<b>Other*</b> (explain)			

## Section I – Part II – Customer Notification Offerings Pursuant to Chapter 4901:1-6-7 OAC

<b>Type of Notice</b>	<b>Direct Mail</b>	<b>Bill Insert</b>	<b>Bill Notation</b>	<b>Electronic Mail</b>
<input type="checkbox"/> 15-day Notice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> 30-day Notice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Date Notice Sent:</b>				

## Section I – Part III –IOS Offerings Pursuant to Chapter 4901:1-6-22 OAC

<b>IOS</b>	<b>Introduce New</b>	<b>Tariff Change</b>	<b>Price Change</b>	<b>Withdraw</b>
<input type="checkbox"/> IOS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Certification	ILEC (Out of territory)	CLEC	Telecommunications Service Provider Not Offering Local	CESTC	CETC
* See Supplemental form	<input type="checkbox"/> ACE <u>1-6-08</u> * (Auto 30- day)	<input type="checkbox"/> ACE <u>1-6-08</u> *(Auto 30 day)	<input type="checkbox"/> ACE <u>1-6-08</u> *(Auto 30 day)	<input type="checkbox"/> ACE <u>1-6-10</u> (Auto 30 day)	<input type="checkbox"/> UNC <u>1-6-09</u> *(Non-Auto)

\*Supplemental Certification forms can be found on the PUCO webpage.

## Section II – Part II – Certificate Status & Procedural

Certificate Status	ILEC	CLEC	Telecommunications Service Provider Not Offering Local
Abandon all Services		<input type="checkbox"/> ABN <u>1-6-26</u> (Auto 30 days)	<input type="checkbox"/> ABN <u>1-6-26</u> (Auto 30 days)
Change of Official Name *	<input type="checkbox"/> ACN <u>1-6-29(B)</u> (Auto 30 days)	<input checked="" type="checkbox"/> ACN <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Change in Ownership *	<input type="checkbox"/> ACO <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> ACO <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Merger *	<input type="checkbox"/> AMT <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> AMT <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Transfer a Certificate *	<input type="checkbox"/> ATC <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> ATC <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Transaction for transfer or lease of property, plant or business *	<input type="checkbox"/> ATR <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> ATR <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> 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 PUCO's webpage 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 an approved agreement	<input type="checkbox"/> NAG <u>1-7-07</u> (Auto 90 day)	<input type="checkbox"/> NAG <u>1-7-07</u> (Auto 90 day)
Request for Arbitration	<input type="checkbox"/> ARB <u>1-7-09</u> (Non-Auto)	<input type="checkbox"/> ARB <u>1-7-09</u> (Non-Auto)
Introduce or change c-t-c service tariffs	<input type="checkbox"/> ATA <u>1-7-14</u> (Auto 30 days)	<input type="checkbox"/> ATA <u>1-7-14</u> (Auto 30 days)
Request rural carrier exemption, rural carrier suspension or modification	<input type="checkbox"/> UNC <u>1-7-04 or 05</u> (Non-Auto)	
Changes in rates, terms & conditions to Pole Attachment, Conduit Occupancy and Rights- of-Way. (13-579-AU-ORD 11/30/16 Entry)	<input type="checkbox"/> ATA <u>1-3-04</u> (Auto 60 days)	
Wireless Providers See <u>4901:1-6-24</u>	<input type="checkbox"/> RCC [Registration & Change in Operations] (0 day)	<input type="checkbox"/> NAG [Interconnection Agreement or Amendment] (Auto 90 days)

#### Section IV. – Attestation

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

##### AFFIDAVIT

##### *Compliance with Commission Rules*

I am an officer/agent of the applicant corporation, Birch Communications, ■, and am authorized to make this statement on its behalf.  
Carey Roesel, Consultant  
(Name)

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 Ohio Adm.Code 4901:1-6-7.

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

Executed on  
(Date) 4/13/2018 at (Location) Maitland, FL 32751

\*Signature and  
Title /s/ Carey Roesel Date 4/13/2018  
Consultant

*\*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, , 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.

\*Signature and  
Title /s/ Carey Roesel Date 4/13/2018  
Consultant

*\*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.*

File document electronically as directed in case number 06-900-AU-WVR  
or

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

**Birch Communications, Inc.**

**EXHIBIT A**

Existing Access Tariff Pages

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ACCESS SERVICES TARIFF

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TITLE PAGE

ACCESS SERVICES TARIFF  
OF  
**Birch Communications, Inc.**

Case No.: 17-2400-TP-ACE  
90-9432-TP-TRF

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of intrastate access telecommunications services provided by Birch Communications, Inc. 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 2323 Grand Blvd., Suite 925, Kansas City, MO 64108.

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Issued: January 2, 2018

Effective: January 2, 2018

Case No.: 17-2400-TP-ACE

Issued by: Gordon P. Williams, Jr. – Senior Vice President & General Counsel  
Birch Communications, Inc.  
2323 Grand Blvd., Suite 925  
Kansas City, MO 64108

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 ACCESS SERVICES TARIFF
 

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**CHECK SHEET**

Pages of this tariff, as indicated below, are effective as of the date shown at the bottom of the respective pages. Original and revised pages, 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.

PAGE	REVISION		PAGE	REVISION		PAGE	REVISION	
Title	Original	*	26	Original	*	51	Original	*
1	Original	*	27	Original	*	52	Original	*
2	Original	*	28	Original	*	53	Original	*
3	Original	*	29	Original	*	54	Original	*
4	Original	*	30	Original	*	55	Original	*
5	Original	*	31	Original	*	56	Original	*
6	Original	*	32	Original	*	57	Original	*
7	Original	*	33	Original	*	58	Original	*
8	Original	*	34	Original	*	59	Original	*
9	Original	*	35	Original	*	60	Original	*
10	Original	*	36	Original	*	61	Original	*
11	Original	*	37	Original	*	62	Original	*
12	Original	*	38	Original	*	63	Original	*
13	Original	*	39	Original	*	64	Original	*
14	Original	*	40	Original	*	65	Original	*
15	Original	*	41	Original	*	66	Original	*
16	Original	*	42	Original	*	67	Original	*
17	Original	*	43	Original	*	68	Original	*
18	Original	*	44	Original	*	69	Original	*
19	Original	*	45	Original	*	70	Original	*
20	Original	*	46	Original	*	71	Original	*
21	Original	*	47	Original	*			
22	Original	*	48	Original	*			
23	Original	*	49	Original	*			
24	Original	*	50	Original	*			
25	Original	*						

\* - indicates those pages included with this filing

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 Issued: January 2, 2018

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 Effective: January 2, 2018

Case No.: 17-2400-TP-ACE

Issued by: Gordon P. Williams, Jr. – Senior Vice President & General Counsel  
 Birch Communications, Inc.  
 2323 Grand Blvd., Suite 925  
 Kansas City, MO 64108



**Birch Communications, Inc.**

**EXHIBIT B**

Proposed Revised Access Tariff Pages

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ACCESS SERVICES TARIFF

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TITLE PAGE

ACCESS SERVICES TARIFF  
OF  
**BirchComm (Birch Communications, LLC)** (T)

Case No.: 17-2400-TP-ACE  
90-9432-TP-TRF

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of intrastate access telecommunications services provided by BirchComm (Birch Communications, LLC) This tariff is on file with the Public Utilities Commission of Ohio. (T)  
Copies may be inspected during normal business hours at the Company's principal place of business at 2323 Grand Blvd., Suite 925, Kansas City, MO 64108. (T)

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Issued: April 13, 2018

Effective: May 13, 2018

Case No.: 18-0655-TP-ACN

Issued by: Gordon P. Williams, Jr. – Senior Vice President & General Counsel  
Birch Communications, Inc.  
2323 Grand Blvd., Suite 925  
Kansas City, MO 64108

## ACCESS SERVICES TARIFF

## CHECK SHEET

Pages of this tariff, as indicated below, are effective as of the date shown at the bottom of the respective pages. Original and revised pages, 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.

PAGE	REVISION		PAGE	REVISION	PAGE	REVISION
Title	1 <sup>st</sup> Revised	*	26	Original	51	Original
1	1 <sup>st</sup> Revised	*	27	Original	52	Original
2	Original		28	Original	53	Original
3	Original		29	Original	54	Original
4	Original		30	Original	55	Original
5	Original		31	Original	56	Original
6	Original		32	Original	57	Original
7	Original		33	Original	58	Original
8	Original		34	Original	59	Original
9	Original		35	Original	60	Original
10	Original		36	Original	61	Original
11	Original		37	Original	62	Original
12	Original		38	Original	63	Original
13	Original		39	Original	64	Original
14	Original		40	Original	65	Original
15	Original		41	Original	66	Original
16	Original		42	Original	67	Original
17	Original		43	Original	68	Original
18	Original		44	Original	69	Original
19	Original		45	Original	70	Original
20	Original		46	Original	71	Original
21	Original		47	Original		
22	Original		48	Original		
23	Original		49	Original		
24	Original		50	Original		
25	Original					

\* - indicates those pages included with this filing

Issued: April 13, 2018

Effective: May 13, 2018

Case No.: 18-0655-TP-ACN

Issued by: Gordon P. Williams, Jr. – Senior Vice President & General Counsel  
Birch Communications, Inc.  
2323 Grand Blvd., Suite 925  
Kansas City, MO 64108

**Birch Communications, Inc.**

**EXHIBIT C**

Description of Change and Customer Impact

The Company has converted to a Limited Liability Company in all jurisdictions. The change in corporate form will have no Customer impact as there will be no change in the name of the Customer's provider and no effect on the rates or services offered to Customers.

**Birch Communications, Inc.**

**EXHIBIT D**

Customer Notice

The change in corporate form will be transparent to Customers. There will be no change in the name of the Customer's provider. Customers will continue to be billed in the name of Birch Communications.

**Birch Communications, Inc.**

**EXHIBIT E**

Ohio Secretary of State Documentation

**\*201808902326\***

DATE:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
04/02/2018	201808902326	CONVERSION WITHIN SOS RECORDS (CVS)	99.00	.00	.00	.00	.00

**Receipt**

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

CT CORPORATION SYSTEM  
JULIE OUTLAW  
4400 EASTON COMMONS WAY, SUITE 125  
COLUMBUS, OH 43219

**STATE OF OHIO  
CERTIFICATE**

**Ohio Secretary of State, Jon Husted**  
**4109551**

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

**BIRCHCOMM (BIRCH COMMUNICATIONS, LLC)**

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

Document(s)  
**CONVERSION WITHIN SOS RECORDS**

Document No(s):  
**201808902326**

**Effective Date: 03/20/2018**

CHANGE BUSINESS TYPE FOR. PROFIT LIM. LIAB. CO.



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 2nd day of April, A.D. 2018.

A handwritten signature in cursive script that reads "Jon Husted".

Ohio Secretary of State

**\*201808902326\***

DATE: 04/02/2018	DOCUMENT ID 201808902326	DESCRIPTION CONVERSION WITHIN SOS RECORDS (CVS)	FILING 99.00	EXPED .00	PENALTY .00	CERT .00	COPY .00
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**Receipt**

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

CT CORPORATION SYSTEM  
JULIE OUTLAW  
4400 EASTON COMMONS WAY, SUITE 125  
COLUMBUS, OH 43219

**STATE OF OHIO  
CERTIFICATE**

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Document(s)  
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CHANGE BUSINESS TYPE FOR. PROFIT LIM. LIAB. CO.



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 2nd day of April, A.D. 2018.

A handwritten signature in cursive script that reads "Jon Husted".

Ohio Secretary of State



**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**4/13/2018 3:10:36 PM**

**in**

**Case No(s). 18-0655-TP-ACN**

Summary: Application of Birch Communications, Inc. to Change Company Name to BirchComm (Birch Communications, LLC) electronically filed by Ms. Suzanne Pagana on behalf of Birch Communications, Inc.