



RECEIVED-EPSC  
07 MAR 26 AM 10:06

DEPOSIT DATE  
7 35 MAR 29 2007

CK# 86019  
\$ 400.00  
326-07  
RT

COMMISSION  
CLERK

March 26, 2007

Via Hand Delivery

Blanca S. Bayo  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399

Check received with filing and forwarded  
to Fiscal for deposit. Fiscal to forward  
deposit information to Records.

Initials of person who forwarded check  
*[Signature]*

070190-TX

Re: *Informational Filing* Regarding the Transfer of Certificate and  
Customers from Florida Digital Network, Inc. d/b/a FDN  
Communications to FDN, LLC d/b/a FDN Communications and  
Request for Waiver of Fla. Pub. Serv. Commission Rule 25-4.118

Dear Ms. Bayo:

Florida Digital Network, Inc. d/b/a FDN Communications ("FDN"), its parent, FDN Holdings, LLC ("Holdings"), NuVox Transition Subsidiary, LLC ("FDN LLC")<sup>1</sup> and its parent, Nuvox, Inc. ("Nuvox"), (collectively, the "Parties"), by their counsel and pursuant to Fla. Pub. Serv. Commission Rule 25-4.118, hereby respectfully advise the Florida Public Service Commission ("Commission") of their intent to consummate a stock transaction involving the merger of FDN with and into FDN LLC and resulting in NuVox becoming the new parent company of FDN LLC (the entity surviving the merger of FDN and FDN LLC). FDN currently is an authorized competitive local exchange and interexchange carrier in Florida. After consummation of the transaction, FDN LLC, ultimately owned by NuVox, will provide service to FDN's customers pursuant to FDN's certificate. FDN will cease to exist as a corporate entity, since FDN, LLC is the surviving entity in the merger. The parties request a waiver of Fla. Pub. Serv. Commission Rule 25-4.118, to the extent required, to allow for the transfer of customers from FDN to FDN LLC.

As described in detail below, pursuant to the terms of an Agreement and Plan of Merger ("Agreement") dated March 20, 2007 among NuVox, FDN, Holdings and FDN LLC, FDN will merge with and into FDN LLC, a newly-formed subsidiary of NuVox. As a result of this stock transaction, NuVox will become the new parent company of FDN LLC. The transaction will be transparent to FDN's customers. FDN LLC will

<sup>1</sup> At closing, this entity will change its name to "FDN, LLC d/b/a FDN Communications."

DOCUMENT NUMBER - DATE

02666 MAR 29 06

FPSC-COMMISSION CLERK

RECEIVED & FILED

*[Signature]*

LOCAL LONG DISTANCE INTERNET