

**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

Before Commissioners: Jay Scott Emler, Chairman
 Shari Feist Albrecht
 Pat Apple

In the Matter of the Application of X5 OpCo LLC)
to change its Name to Magna5 LLC.) Docket No. 17-XOCT-208-CCN

ORDER APPROVING NAME CHANGE

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and determination. Having examined its files and record, and being duly advised in the premises, the Commission finds and concludes as follows:

1. On November 14, 2016, X5 OpCo LLC (X5 OpCo) filed a notification in the above-captioned docket informing the Commission of X5 OpCo's change in name to Magna5 LLC (Magna5) and requesting approval of same in the Commission's records, including the company's Certificate of Public Convenience and Authority. Included with the notification were copies of the Kansas Secretary of State's Certificate of Correction and letter assigning Magna5 an identification number.

2. The Commission derives its authority to supervise telecommunications public utilities from K.S.A. 2015 Supp. 66-1,188. Respecting requests for a company name change, the Commission, in accordance with K.S.A. 2015 Supp. 66-131 and K.S.A. 2015 Supp. 66-136, must determine whether the proposed name change will promote the public convenience.

3. On February 23, 2016, in Docket No. 16-XOCT-246-COC, the Commission issued X5 OpCo LLC a Certificate of Public Convenience and Authority (Certificate) authorizing the company to provide interexchange service within the State of Kansas. X5 OpCo states that the requested name change is part of a rebranding only and is not the result of a

corporate reorganization or change of control. X5 OpCo further states that the company's operations are otherwise unchanged and that the company's subscribers are being notified of the name change via billing insert and separate letter notification.¹

4. On November 30, 2016, the Commission Staff (Staff) submitted its Report and Recommendation, dated November 23, 2016, recommending the Commission grant X5 OpCo's request and approve the requested name change in the Commission's records. Magna5 is properly registered with the Kansas Secretary of State's office where its status is shown to be *active and in good standing*. Staff indicates that the company is in compliance with Commission assessments and Annual Report filing requirements.²

5. Concluding, Staff determines that the requested company name change should promote the public convenience and recommends the Commission grant X5 OpCo's request and approve the company's name change from X5 OpCo LLC to Magna5 LLC.³

6. The Commission adopts Staff's analysis and recommendation of November 23, 2016, as stated in its Report and Recommendation, which is attached hereto and made a part hereof by reference, and finds that the request filed in this matter should be granted and the name change from X5 OpCo LLC to Magna5 LLC should be approved.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. X5 OpCo LLC's request filed in the above-captioned docket is hereby granted and the company's name change from X5 OpCo LLC to Magna5 LLC on the Commission's records, including the company's Certificate of Convenience and Authority, is hereby approved, effective as of the date of this Order.

¹ Notification, page 1.

² Report and Recommendation at page 2.

³ Id., page 2.

B. Magna5 is reminded to notify the Commission immediately of any change in address or contact telephone numbers; to file timely annual reports; to maintain current registration with the Kansas Secretary of State's office; and to pay all Commission assessments in a timely manner.

C. The parties have fifteen (15) days, plus three (3) days if service of this Order is by mail, from the date this Order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 2015 Supp. 77-529(a)(1).

D. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further order, or orders, as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner

Dated: DEC 06 2016


Amy L. Green
Secretary to the Commission

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Order Mailed Date

DEC 07 2016

**REPORT AND RECOMMENDATION
UTILITIES DIVISION**

TO: Chairman Jay Scott Emler
Commissioner Shari Feist Albrecht
Commissioner Pat Apple

FROM: Paula Artzer, Senior Telecommunications Analyst
Christine Aarnes, Chief of Telecommunications
Jeff McClanahan, Director of Utilities

DATE: November 23, 2016

SUBJECT: 17-XOCT-208-CCN
In the Matter of the Application of X5 OpCo LLC to Change its Name to
Magna5 LLC

EXECUTIVE SUMMARY:

On November 14, 2016, X5 OpCo LLC (X5) filed an Application requesting to change the Company's name to Magna5 LLC (Magna5). Staff recommends Commission approval of this filing.

BACKGROUND:

The Commission approved the Company's IXC Certificate 16-XOCT-246-COC in an Order dated February 23, 2016. X5 is registered with the Kansas Secretary of State and the name change is on file. The account status is currently "Active and in Good Standing".

ANALYSIS:

The Commission derives its authority to supervise telecommunications public utilities from K.S.A. 66-1,188. The Commission derives its authority to certificate and de-certificate public utilities from K.S.A. 66-131.

The Commission must determine whether the proposed company name change would promote the "public convenience." See K.S.A. 66-131; K.S.A. 66-136.

With this filing, the Company states that the name change is a “rebranding” only and is not the result of a corporate reorganization or change of control. The Company’s operations are otherwise unchanged. The customers are being notified via bill inserts and separate letter notification. The Company did provide a new address for the Company headquarters in Dallas, TX. The Company is in compliance with respect to Commission Assessments and Annual Report filing requirements.

RECOMMENDATION:

Staff recommends the Commission approve X5’s request to change its name to Magna5 LLC on the IXC Certificate X5 has on file with the Commission. Staff reviewed the Application and available documentation and finds that the name change should promote the public convenience.

CERTIFICATE OF SERVICE

17-XOCT-208-CCN

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail/hand delivered on DEC 06 2016.

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/S/ DeeAnn Shupe

DeeAnn Shupe

Order Mailed Date
DEC 07 2016