

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF)	
YMAX COMMUNICATIONS CORP. FOR A)	CASE NO. YMX-T-06-01
CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY TO PROVIDE LOCAL)	
EXCHANGE SERVICES WITHIN THE STATE)	ORDER NO. 30110
OF IDAHO)	

On March 21, 2006, YMax Communications Corp. ("YMax" or "Company") filed an Application for a Certificate of Public Convenience and Necessity with the Commission. In its Application, YMax states that it is requesting authority to provide basic resold and facilities-based local exchange services and resold interexchange service to both residential and business customers by combining unbundled network elements and reselling services obtained from incumbent local exchange carriers in Idaho pursuant to interconnection agreements. YMax requests a certificate for all Idaho exchanges not exempt from competition.

On July 7, 2006, the Commission issued a Notice of Application and Modified Procedure requesting comments from interested parties. Order No. 30095. The only comments received were submitted by the Commission Staff.

THE APPLICATION

YMax is a Delaware corporation with a primary place of business in Palm Beach, Florida. The Company has a Certificate of Authority to do business in the State of Idaho issued by the Idaho Secretary of State on March 10, 2006. The Company has provided financial information and the appropriate contact information for its registered agent for service of process within Idaho. The Company also filed an illustrative tariff (and revisions thereto on June 28, 2006).

STAFF COMMENTS

Staff reviews all requests for a Certificate of Public Convenience and Necessity (CPCN) pursuant to *Idaho Code* §§ 61-526 through -528, IDAPA 31.01.01.111 and 112 (Rules 111 and 112), and Procedural Order No. 26665. To obtain a CPCN, an applicant must provide the Commission with the following information: (1) name, address, and form of business; (2) the date on which the applicant proposes to begin construction or anticipates that it will provide

service, including a written description of customer classes and services proposed to be offered; (3) the proposed service territory; (4) certain financial information; (5) maps regarding the proposed service area; (6) a proposed initial tariff and price sheets; (7) contact information; (8) interconnection agreements, if any; (9) an agreement to comply with the Commission's Rules; and (10) an escrow account with a bonded escrow agent if the Company requires advanced deposits from its customers. Order No. 26665.

Following discussions with the Company's consultant, Staff received updated financial data with a letter of credit from the principal owner of the Company. The Company also complied with requests from Staff to remove certain terms contained within its price list that did not comport with Commission rules and requirements. Through its review of these documents and those originally filed, Staff believes that the Company understands and agrees to comply with Commission rules and requirements. Staff further believes that the Company possesses the requisite financial, managerial, and technical qualifications necessary to operate as a provider of telecommunications services.

Based on its review of the Application, Staff recommended approval of the Application for a Certificate of Public Convenience and Necessity.

COMMISSION FINDINGS

This Commission has jurisdiction to grant a Certificate of Public Convenience and Necessity pursuant to *Idaho Code* § 61-526. Based upon our review of the filing and the record in this case, the Commission finds that YMax's filing satisfies the requirements of the Commission's Rules and Procedural Order No. 26665. Thus, we approve YMax's Application for a Certificate of Public Convenience and Necessity to allow the Company to provide basic resold and facilities-based local exchange services and resold interexchange service to residential and business customers. We further waive the requirement for YMax to possess an escrow account until such time as it begins to collect deposits from its customers.

ORDER

IT IS HEREBY ORDERED that YMax Communications Corp. is granted a Certificate of Public Convenience and Necessity to provide basic resold and facilities-based local exchange services and resold interexchange service to both residential and business customers by combining unbundled network elements and reselling services obtained from incumbent local exchange carriers in Idaho pursuant to interconnection agreements.

IT IS FURTHER ORDERED that the requirement to possess an escrow account is waived until such time as the Company begins to collect deposits from its customers.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *See Idaho Code § 61-626.*

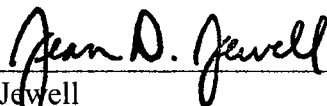
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this *7th* day of August 2006.


PAUL KJELLANDER, PRESIDENT


MARSHA H. SMITH, COMMISSIONER


DENNIS S. HANSEN, COMMISSIONER

ATTEST:


Jean Jewell
Commission Secretary

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