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Attorney for the Commission Staff

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF)
YMAX COMMUNICATIONS CORP. FOR A) CASE NO. YMX-T-06-1
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO PROVIDE LOCAL)
EXCHANGE SERVICES WITHIN THE STATE) COMMENTS OF THE
OF IDAHO.) COMMISSION STAFF
)
)
)

COMES NOW the Staff of the Idaho Public Utilities Commission, by and through its attorney of record, Cecelia A. Gassner, Deputy Attorney General, and in response to the Notice of Application and Notice of Modified Procedure issued in Order No. 30095 on July 7, 2006, submits the following comments.

BACKGROUND

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 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 ANALYSIS

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's Application now complies with the requirements Commission's 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.

RECOMMENDATION

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

Respectfully submitted this 26th day of July.



Cecelia A. Gassner
Deputy Attorney General

Technical Staff: Carolee Hall

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE 26TH DAY OF JULY 2006, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. YMX-T-06-01, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

SHARON THOMAS
CONSULTANT
TECHNOLOGIES MGMNT INC
PO DRAWER 200
WINTER PARK FL 32789



SECRETARY