



June 7, 2012

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PUBLIC SERVICE COMMISSION

Mr. Darrell Nitschke, Executive Secretary
North Dakota Public Service Commission
600 East Boulevard Avenue
Department 408
Bismarck, ND 58505-0480

RE: YMax Communications Corp
Revisions to North Dakota Tariff No. 2 (Access Services)

Dear Mr. Nitschke:

Enclosed for filing please find the original of the above referenced tariff filing submitted on behalf of YMax Communications Corp. This filing makes revisions to incorporate the requirements of the Federal Communications Commission Report and Order in WC Docket No. 10-90, etc., FCC No. 11-161 (released Nov 18, 2011) ("FCC Order") regarding the treatment of Toll VoIP-PSTN traffic and incorporates other changes to bring the tariff in closer alignment with the Company's FCC interstate access services tariff. Additionally, the filing reduces the Company's switched access rates to the level of its interstate rates on file with the FCC. Because the Company is proposing to mirror its interstate rates, rather than adopt the 50% reduction allowed by the FCC's ICC Reform Order, no supporting calculations are provided. The Company respectfully requests an effective date for this filing of July 1, 2012.

The following tariff pages are included with this filing:

1 st Revised Page 1	Updates Check Sheet;
1 st Revised Page 5	Revises definitions;
1 st Revised Page 6	Revises definitions;
1 st Revised Page 7	Revises definitions;
1 st Revised Page 10	Adds definition;
1 st Revised Page 11	Revises definitions;
Original Page 23.1	Adds VoIP Traffic Provisions;
Original Page 23.2	Adds VoIP Traffic Provisions;
Original Page 23.3	Adds VoIP Traffic Provisions;
Original Page 23.4	Adds VoIP Traffic Provisions;
1 st Revised Page 46	Revises Description of Switched Access;
1 st Revised Page 47	Revises Manner of Provision Description;
1 st Revised Page 48	Revises Description of Rate Categories;
1 st Revised Page 59	Revises Rates;
1 st Revised Page 60	Deletes Rates.

1 **PU-12-289** Filed: 6/8/2012 Pages: 17
Switched access and VOIP-PSTN price schedule

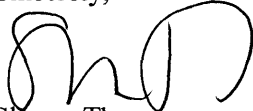
YMAX Communications Corp.

Mr. Darrell Nitschke, Executive Secretary
Page 2 of 2

Please acknowledge receipt of this filing by date-stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for that purpose.

Any questions you may have regarding this filing should be directed to my attention at 407-740-3031 or via email to sthomas@tminc.com. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to be 'STH', written in a cursive style.

Sharon Thomas
Consultant to YMax Communications Corp

file: YMax - North Dakota - Access
tms: NDa1201

Enclosures

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

* - indicates those pages included with this filing

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West Palm Beach, Florida 33405

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ACCESS SERVICES TARIFF

SECTION 1 - DEFINITIONS AND ABBREVIATIONS

Access Code - Denotes a uniform code assigned by the Company to an individual End User. The code has the form 101XXXX or 950-XXXX.

Access Line - An arrangement which connects an End User's local exchange line to a Company-designated switching center or point of presence.

Access Minutes - The increment for measuring usage of exchange facilities for the purpose of calculating chargeable usage.

Access Service Request (ASR) - The service order form used by access service Customers and the Company to establish, move, or rearrange access services provided by the Company.

Access Tandem - A switching system that provides a traffic concentration and distribution function for originating or terminating traffic between End Office Switches and Switched Access Customers. An Access Tandem may be operated by the Company, or by another Carrier with which the Company is interconnected..

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Answer Supervision - The transmission of the switch trunk equipment supervisory signal (off-hook or on-hook) to a carrier's Point of Presence or Customer's or End User's terminal equipment as an indication that the called party has answered or disconnected.

Automatic Number Identification (ANI) - The automatic transmission of a caller's billing account telephone number to a local exchange company, interexchange carrier or a third party Customer. The primary purpose of ANI is for billing toll calls.

Bit - The smallest unit of information in a binary system of notation.

Bps - Bits per second. The number of bits transmitted in a one second interval.

Call - A Customer or End User attempt for which the complete address code (e.g., 0-, 911, or 10 digits) is provided to the Serving Wire Center, End Office or Access Tandem Switch.

Casual Calling - Where access to the Company's network and the subsequent use of service by the Customer is initiated through the dialing of a toll-free number or Access Code. Casual Calling allows non-Pre subscribed End Users to utilize the services of the Company.

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 ACCESS SERVICES TARIFF

SECTION 1 - DEFINITIONS AND ABBREVIATIONS, (CONT'D)

Central Office - See End Office.

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Channel - An electrical or photonic, in the case of fiber optic-based transmission systems, communications path between two or more points of termination, which may include a virtual or derived path.

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CIC - An interexchange carrier identification code.

Commission - The North Dakota Public Service Commission.

Company or Carrier - Used throughout this tariff to indicate YMax Communications Corp.

Constructive Order - Delivery of calls to or acceptance of calls from the Customer's End Users over Company-switched local exchange services constitutes a Constructive Order by the Customer to purchase switched access services as described herein. Similarly, the selection of the Customer by an End User as the End User's PIC constitutes a Constructive Order for switched access by the Customer.

CPE - Customer Premises Equipment. All Terminal Equipment or other communications equipment and/or systems provided by the Customer for use with the Company's facilities and services.

Customer - Any individual, partnership, association, joint-stock company, trust, corporation, or governmental entity or other entity which uses and/or subscribes to the services offered under this tariff, including End Users, Interexchange Carriers (ICs) and other telecommunications carriers and/or providers using VoIP-PSTN Traffic.

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Customer Premises - The premises specified by the Customer for termination of access services. Typically an Interexchange Carrier's Point of Presence.

Dedicated Access - Where originating or terminating access between an End User and an Interexchange Carrier are provided via dedicated facilities, circuits or channels. A method of reaching the Customer's communication and switching systems whereby the End User is connected directly to the Customer's Point of Presence without utilizing the services of the local switched network.

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ACCESS SERVICES TARIFF

SECTION 1 - DEFINITIONS AND ABBREVIATIONS, (CONT'D)

DS0 - Digital Signal Level 0; a dedicated, full-duplex digital channel with line speeds of 2.4, 4.8, 9.6, 19.2, 56 or 64 Kbps.

DS1 - Digital Signal Level 1; a dedicated, high-capacity, full-duplex channel with a line speed of 1.544 Mbps isochronous serial data having a line signal format of either Alternate Mark Inversion (AMI) or Bipolar with 8 Zero Substitution (B8ZS) and either Superframe (D4) or Extended Superframe (ESF) formats. DS1 Service has the equivalent capacity of 24 Voice Grade or DS0 services.

DS3 - Digital Signal Level 3; a dedicated, high-capacity, full-duplex channel with a line speed of 44.736 Mbps isochronous serial data having a line code of bipolar with three zero substitution (B3ZS). Equivalent capacity of 28 DS1 services.

Dual Tone Multifrequency (DTMF) - Tone signaling, also known as touch tone signaling.

End Office - The Central Office from which the End User's Premises would normally obtain local exchange service and dial tone from the Company or another local exchange company.

End Office Switch - A Switch that provides the first point of connection between an End User and the Public Switched Telephone Network (PSTN), that sets up and takes down voice-grade communications paths between an End User and other parties on the PSTN, and that exchanges SS7-compatible signaling with other switches on the PSTN. The "first point of connection" means there is no other Switch performing these functions between it and the End User, regardless of how the End User obtains its connection to that switch.

End User - Any customer of an interstate or foreign telecommunications service and/or VoIP provider that is not a carrier, except that a carrier other than a telephone company shall be deemed to be an "end user" when such carrier uses a telecommunications service for administrative purposes, and a person or entity that offers telecommunications service exclusively as a reseller shall be deemed to be an "end user" if all resale transmissions offered by such reseller originate on the premises of such reseller.

End User Premises - The premises specified by the Customer or End User for termination of access services at the End User's physical location.

Equal Access - Where the local exchange company Central Office provides interconnection to Interexchange Carriers with Feature Group D circuits. In such End Offices, End Users can presubscribe their telephone line(s) to their preferred Interexchange Carrier. A form of dialed access provided by local exchange companies whereby telephone calls dialed by the End User are automatically routed to the Company's network. End Users may also route calls to the Company's network by dialing an access code provided by the Company.

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ACCESS SERVICES TARIFF

SECTION 1 - DEFINITIONS AND ABBREVIATIONS, (CONT'D)

Point of Termination - The point of demarcation within a Customer or End User Premises at which the Company's responsibility for the provision of access service ends. The point of demarcation is the point of interconnection between Company communications facilities and Customer-provided or End User-provided facilities as defined in Part 68 of the Federal Communications Commission's Rules and Regulations.

Premises - A building, portion of a building in a multi-tenant building, or buildings on continuous property not separated by a highway. May also denote a Customer-owned enclosure or utility vault located above or below ground on private property or on Customer acquired right-of-way.

Presubscription - An arrangement whereby an End User selects and designates to the Company or other LEC, a carrier the End User wishes to access, without an access code, for completing interLATA and/or intraLATA toll calls. The selected carrier is referred to as the Primary Interexchange Carrier.

Primary Interexchange Carrier - The IXC designated by an End User as its first routing choice and primary overflow carrier for routing of 1+ direct dialed and operator assisted non-local calls.

Private Line - A service which provides dedicated path between one or more End User or Customer Premises.

Public Switched Telephone Network (or PSTN) - The interconnected network of networks providing voice-grade switched communications service to end users with station addressing based upon the North American Numbering Plan, regardless of the technology or facilities used to provide this service, and regardless of the dialing plan or pattern actually used by a particular caller.

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Query - The inquiry to a Company data base to obtain information, processing instructions or service data.

Recurring Charge - The charges to the Customer for services, facilities or equipment, which continue for the agreed upon duration of the service. Recurring charges do not vary based on Customer usage of the services, facilities or equipment provided.

Remote Switching Modules or Remote Switching Systems (RSM/RSS) - Small remotely controlled electronic End Office Switching equipment which obtains its call processing capability from a Host Office. An RSM/RSS cannot accommodate direct trunks to an End User or Customer.

Service Commencement Date - The first day following the date on which the Company notifies the Customer that the requested service or facility is available for use, unless extended by the Customer's refusal to accept service which does not conform to standards in the service order or this tariff, in which case the service commencement date is the date of the Customer's acceptance, such acceptance not to be reasonably withheld or denied. The Company and Customer may mutually agree on a substitute Service Commencement Date.

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 ACCESS SERVICES TARIFF

SECTION 1 - DEFINITIONS AND ABBREVIATIONS, (CONT'D)

Service Order - A written request for network services executed by the Customer and the Company.

Serving Wire Center - A geographic location designated by the Company where Switched Access trunks or other access facilities are terminated for purposes of interconnection to other elements or Switched Access Service provided by the Company.

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Special Access - See Dedicated Access.

Station - Refers to telephone equipment or an exchange access line from or to which calls are placed.

Switched Access - Refers to the services described in Section 3 of this Tariff, including but not limited to Tandem Connect Access, Direct Connect Access and Tandem Switching Access.

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Tandem Switch - See Access Tandem.

Terminal Equipment - Telecommunications devices, apparatus and associated wiring on the Customer-designated premises.

Terminating Direction - The use of Switched Access Service for the completion of calls from a Customer's Point of Presence to an End User Premises.

Trunk - A communications path connecting two switching systems in a network, used in the establishment of an end-to-end connection.

Trunk Group - A set of trunks which are traffic engineered as a unit for the establishment of connections between switching systems in which all of the communications paths are interchangeable.

V & H Coordinates - Geographic points which define the originating and terminating points of a call in mathematical terms so that the airline mileage of the call may be determined. Call mileage may be used for the purpose of rating calls.

VOIP-PSTN Traffic - Traffic exchanged over PSTN facilities that originates and/or terminates in IP format. See FCC 11-161, ¶ 940.

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ACCESS SERVICES TARIFF

SECTION 2 - RULES AND REGULATIONS, (CONT'D.)

2.9 Obligations of the Customer, (Cont'd.)

2.9.3 Identification and Rating of VoIP-PSTN Traffic

A. Scope

1. VoIP-PSTN Traffic is defined as traffic exchanged between the Company and the Customer in time division multiplexing ("TDM") format that originates and/or terminates in Internet protocol ("IP") format. This section governs the identification of VoIP-PSTN Traffic that is required to be compensated at interstate access rates (unless the parties have agreed otherwise) by the Federal Communications Commission in its Report and Order in WC Docket Nos. 10-90 etc., FCC Release No. 11-161 (November 18, 2011) ("FCC Order"). Specifically, this section establishes the method of separating such traffic (referred to in this tariff as "Relevant VoIP-PSTN Traffic") from the Customer's traditional intrastate access traffic, so that such Relevant VoIP-PSTN Traffic can be billed in accordance with the FCC Order.
2. Switched access charges under this tariff apply to VoIP-PSTN Access Traffic whether the connection to the called or calling party's premises is provided by the Company directly or in conjunction with a provider of VoIP Service that does not itself seek to collect switched access charges for the same traffic. As long as the Company is listed in the database of the Number Portability Administration Center as providing the calling party or dialed number, then the provision by the Company of any portion of the transport or termination of VoIP-PSTN Access Traffic shall be considered the functional equivalent of the access service typically provided by an incumbent local exchange carrier, regardless of the technology or network structure employed by the Company or the VoIP Service provider to perform that function.
3. This section will be applied to the billing of switched access charges to a customer that is a local exchange carrier only to the extent that the customer has also implemented billing of interstate access charges for Relevant VoIP-PSTN Traffic in accordance with the FCC Order.

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ACCESS SERVICES TARIFF

SECTION 2 - RULES AND REGULATIONS, (CONT'D.)

2.9 Obligations of the Customer, (Cont'd.)

2.9.3 Identification and Rating of VoIP-PSTN Traffic, (Cont'd.)

B. Rating of VoIP-PSTN Traffic

The Relevant VoIP-PSTN Traffic identified in accordance with this tariff section will be billed at rates equal to the Company's applicable interstate switched access rates as specified in Tariff FCC No. 2.

C. Calculation and Application of Percent-VoIP-Usage Factor

The Company will determine the number of Relevant VoIP-PSTN Traffic minutes of use ("MOU") to which interstate rates will be applied under subsection B., above, by applying a Percent VoIP Usage ("PVU") factor to the total intrastate access MOU exchanged between the Company and the Customer. The PVU will be derived and applied as follows:

1. The Customer will calculate and furnish to the Company a factor (the "PVU-A") representing the percentage of the total intrastate and interstate access MOU that the Customer exchanges with the Company in the State, that (a) is sent to the Company and that originated in IP format; or (b) is received from the Company and terminated in IP format. This PVU-A shall be based on information such as the number of the Customer's retail VoIP subscriptions in the state (e.g., as reported on FCC Form 477), traffic studies, actual call detail, or other relevant and verifiable information.
2. The Company will, likewise, calculate a factor (the "PVU-B") representing the percentage of the Company's total intrastate and interstate access MOU in the State that the Company originates or terminates in IP format. This PVU-B shall be based on information such as the number of the Company's retail VoIP subscriptions in the state (e.g., as reported on FCC Form 477), traffic studies, actual call detail, or other relevant and verifiable information.

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ACCESS SERVICES TARIFF

SECTION 2 - RULES AND REGULATIONS, (CONT'D.)

2.9 Obligations of the Customer, (Cont'd.)

2.9.3 Identification and Rating of VoIP-PSTN Traffic, (Cont'd.)

C. Calculation and Application of Percent-VoIP-Usage Factor, (Cont'd.)

3. The Company will use the PVU-A and PVU-B factors to calculate a PVU factor that represents the percentage of total intrastate and interstate access MOU exchanged between the Company and the Customer that is originated or terminated in IP format, whether at the Company's end, at the Customer's end, or at both ends. The PVU factor will be calculated as the sum of: (A) the PVU-A factor and (B) the PVU-B factor times (1.0 minus the PVU-A factor).
4. The Company will apply the PVU factor to the total intrastate access MOU exchanged with the Customer to determine the number of Relevant VoIP-PSTN Traffic MOUs.

Example 1: The PVU-B is 10% and the PVU-A is 40%. The effective PVU factor is equal to $40\% + (10\% \times 60\%) = 46\%$. The Company will bill 46% of the Customer's intrastate access MOU at its applicable tariffed interstate switched access rates.

Example 2: The PVU-B is 10% and the PVU-A is 0%. The PVU factor is $0\% + (100\% \times 10\%) = 10\%$. The Company will bill 10% of the Customer's intrastate access MOU at the Company's applicable tariffed interstate switched access rates.

Example 3: The PVU-A is 100%. No matter what the PVU-B factor is, the PVU is 100%. The Company will bill 100% of the Customer's intrastate access MOU at the Company's applicable tariffed interstate switched access rates.

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ACCESS SERVICES TARIFF

SECTION 2 - RULES AND REGULATIONS, (CONT'D.)

2.9 Obligations of the Customer, (Cont'd.)

2.9.3 Identification and Rating of VoIP-PSTN Traffic, (Cont'd.)

C. Calculation and Application of Percent-VoIP-Usage Factor, (Cont'd.)

5. If the Customer does not furnish the Company with a PVU-A pursuant to the preceding paragraph 1, the Company will utilize a PVU equal to the PVU-B.

D. PVU Factor Updates

The Customer may update the PVU-A factor or the Company may update the PVU-B factor quarterly using the method set forth in subsection C.1., above. If the Customer chooses to submit such updates, it shall forward to the Company, no later than 15 days after the first day of January, April, July and/or October of each year, a revised PVU-A factor based on data for the prior three months, ending the last day of December, March, June and September, respectively. The Company will use the revised PVU-A to calculate a revised PVU. The revised PVU factor will apply prospectively and serve as the basis for billing until superseded by a new PVU.

E. PVU Factor Verification

Not more than twice in any year, the Company may ask the Customer to verify the PVU-A factor furnished to the Company and Customer may ask the Company to verify the PVU-B factor and the calculation of the PVU factor. The party so requested shall comply, and shall reasonably provide the records and other information used to determine the respective PVU-A and PVU-B factors.

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ACCESS SERVICES TARIFF

SECTION 3 - SWITCHED ACCESS SERVICE, (CONT'D.)

3.2 Manner of Provision

- 3.2.1 Switched Access is furnished for the Customer's use in originating calls from and terminating calls to End Users. (T)
(T)
- 3.2.2 [Reserved for Future Use.] (D)
- 3.2.3 [Reserved for Future Use.] (D)
- 3.2.4 Three types of Switched Access Services are available: (T)
- A. Tandem Connect Access: This option applies when the Customer has no direct facilities to the Company's Serving Wire Center or POI. Traffic is routed to and from the Company's Facilities via the Access Tandem. Delivery of calls to, or acceptance of calls from, End User(s) via Company-provided Tandem Connect Access services shall constitute a Constructive Order and an agreement by the Customer to purchase the Company's switched access services as described and priced herein. The Customer must order a connection to the Access Tandem from the Carrier operating that tandem, in accordance with that Carrier's applicable terms and conditions of service.
- B. Direct Connect Access: This option applies when the Customer connects to the Company's Serving Wire Center or POI by means of dedicated facilities. This transmission path is dedicated to the use of a single Customer. The Customer is responsible for providing such facilities itself or for negotiating such arrangements with possible suppliers. To the extent that the Company is able to provide such arrangements, the dedicated portion of Direct Connect Access would be provided on an Individual Case Basis as Special Service Arrangements pursuant to Section 6 of this tariff.
- C. Tandem Switching Access Service
Tandem Switching is an access service providing transmission and tandem switching between the Customer designated premises and the Company switch(es) where the Customer's traffic is switched from or to an entity other than an End User for purposes of originating or terminating the Customer's communications. (T)
- 3.2.5 Switched Access service will be provide with SS7 signaling or a compatible form of signaling (N)

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ACCESS SERVICES TARIFF

SECTION 3 - SWITCHED ACCESS SERVICE, (CONT'D.)

3.3 Rate Categories

There are three rate categories which apply to Switched Access Service:

- End Office Switching (T)
- Tandem Switching (N)
- Toll-Free 8XX Data Base Access Service

3.3.1 End Office Switching

End Office Switching includes the following: (T)

- A. The switching of access traffic at the Company's end office switch and the delivery of such traffic to or from the called party's premises; (T)
- B. The routing of interexchange telecommunications traffic to or from the called party's premises, either directly or via contractual or other arrangements with an affiliated or unaffiliated entity, regardless of the specific functions provided or facilities used; or
- C. Any functional equivalent of the incumbent local exchange carrier access service provided by the Company. (T)

3.3.2 Tandem Switching

Tandem Switching includes the following:

- A. Tandem switching and common transport between the tandem switch and end office; or
- B. Any functional equivalent of the incumbent local exchange carrier access service provided by the Company. (N)

3.3.3 Toll-Free 8XX Data Base Query

The Toll-Free 8XX Data Base Query Charge, will apply for each Toll-Free 8XX call query received at the Company's (or its provider's) Toll-Free 8XX data base. (T)

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ACCESS SERVICES TARIFF

SECTION 3 - SWITCHED ACCESS SERVICE, (CONT'D.)

3.9 Rates and Charges

3.9.1 Switched Access Usage Charges

Switched Access Services will be assessed applicable switched access usage charges at the rates set forth in the Company's Federal Access Tariff, FCC No. 2, posted at <http://svartifoss2.fcc.gov/cgi-bin/ws.exe/prod/ccb/etfs/mainmenu.hts>.

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3.9.2 [Reserved for Future Use.]

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ACCESS SERVICES TARIFF

SECTION 3 - SWITCHED ACCESS SERVICE, (CONT'D.)

3.9 Rates and Charges, (Cont'd.)

3.9.3 [Reserved for Future Use.]

(D)

3.9.4 Toll-Free 8XX Data Base Access Service

Per Query

\$0.0075

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