



August 16, 2012
Via Web Filing

Ms. Brandy Darlington, Tariff Administrator
Indiana Utility Regulatory Commission
101 West Washington Street
Suite 1500 E
Indianapolis, IN 46204

RE: YMax Communications Corp. Revision to IURC Tariff No. 1 (Switched Access Services)

Dear Ms. Darlington:

Enclosed for filing please find the original of the above referenced thirty day tariff filing submitted on behalf of YMax Communications Corp. This filing is made under the Thirty-Day Administrative Filing Procedure (170 IAC 1-6-5). The purpose of this filing is to make 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. The customer notice is attached and the affidavit of publication will be submitted under separate cover. The Company respectfully requests an effective date for this filing of September 16, 2012.

The following tariff pages are included with this filing:

3 rd Revised Page 1	Updates Check Sheet;
1 st Revised Page 4	Introduces additional Symbol;
1 st Revised Page 6	Revises definitions;
1 st Revised Page 7	Revises definitions;
1 st Revised Page 9	Introduces definition;
1 st Revised Page 10	Revises and introduces definitions;
Original Pages 39.1-39.4	Introduces Identification and Rating of VoIP-PSTN Traffic;
1 st Revised Page 56	Revises Switched Access Service General Description and indicates text moved to Page 56.1;
Original Page 56.1	Relocates text moved from Page 57;
1 st Revised Page 57	Indicates text moved to Page 56.1;
1 st Revised Page 58	Deletes text and incorporates text changes.

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

Sincerely,

/s/Sharon Thomas

Sharon Thomas
Consultant to YMax Communications Corp
file: YMax - Indiana - Access
tms: INa1202
Enclosures
ST/im

LEGAL NOTICE
of
YMax Communications Corp.

YMax Communications Corp. has filed a revision to its Indiana access tariff, IURC Tariff No. 1, to revise and add certain terms and conditions 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 other aspects of the FCC Order. This filing does not impact rates, but may affect wholesale customers who purchase switched access services from YMax Communications Corp.

The filing was made on August 16, 2012, and upon approval by the Indiana Public Utilities Commission, the change will have an effective date no earlier than September 16, 2012. Objections to this filing may be made to: Indiana Office of Utility Consumer Counselor, PNC Center, 115 W. Washington St., Suite 1500 South, Indianapolis, Indiana 46204; Fax: (317) 232-5923, Telephone: Toll Free 1-888-441-2494, Voice/TDD (317) 232-2494, or the Secretary of the Indiana Regulatory Commission, 101 West Washington St., Suite 1500 E, Indianapolis, IN 46204 Tel.: (317) 232-2701, Fax: (317) 232-6758.

COMPETITIVE ACCESS PROVIDER SERVICES TARIFF

CHECK SHEET

Sheets of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets 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.

SHEET	REVISION		SHEET	REVISION	
Title	First		33	Original	
1	Third	*	34	Original	
2	First		35	Original	
3	Original		36	Original	
4	First	*	37	Original	
5	Original		38	Original	
6	First	*	39	Original	
7	First	*	39.1	Original	*
8	Original		39.2	Original	*
9	First	*	39.3	Original	*
10	First	*	39.4	Original	*
11	Original		40	Original	
12	Original		41	Original	
13	Original		42	Original	
14	Original		42.1	Original	
15	Original		43	First	
16	Original		44	First	
17	Original		45	Original	
18	Original		46	Original	
19	Original		47	Original	
20	Original		48	Original	
21	Original		49	Original	
22	Original		50	Original	
23	Original		51	Original	
24	Original		52	Original	
25	Original		53	Original	
26	Original		54	Original	
27	Original		55	Original	
28	Original		56	First	*
29	Original		56.1	Original	*
30	Original		57	First	*
31	Original		58	First	*
32	Original		59	Original	
			60	First	

* Indicates pages submitted with most recent filing.

COMPETITIVE ACCESS PROVIDER SERVICES TARIFF

SYMBOLS

The following are the only symbols used for the purposes indicated below:

- | | | |
|-----|---|-----|
| (C) | Indicates Change in Rate, Regulation or Condition | (N) |
| (D) | Indicates Discontinued Rate or Regulation | |
| (I) | Indicates Rate Increase | |
| (M) | Indicates Move in Location of Text | |
| (N) | Indicates New Rate or Regulation | |
| (R) | Indicates Rate Reduction | |
| (T) | Indicates Change of Text Only | |

COMPETITIVE ACCESS PROVIDER SERVICES TARIFF

SECTION 1 - DEFINITIONS

Certain terms used generally throughout this tariff for the Access Services of this Company are defined below.

Access Code: A uniform seven digit code assigned by the Company to an individual Customer. The seven digit code has the form 950-XXXX or 101XXXX.

Access Service: Switched Access to the network of an Interexchange Carrier for the purpose of originating or terminating communications.

Access Service Request (ASR): The industry service order format used by Access Service Customers and access providers as agreed to by the Ordering and Billing Forum.

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. (T)
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(T)

Authorized User: A person, firm, corporation or other entity that either is authorized by the Customer to use Access Services or is placed in a position by the Customer, either through acts or omissions, to use Access Services.

Carrier or Common Carrier: See Interexchange Carrier or Exchange Carrier.

Central Office: See End Office. (N)

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. (T)
(T)

Co-Carrier: Any other Telecommunications provider authorized by the Commission to provide local exchange service in the state.

Commission: The Indiana Public Service Commission.

Common Channel Signaling (CCS): A high-speed packet switched communications network which is separate (out of band) from the public packet switched and message networks. It is used to carry addressed signaling messages for individual trunk circuits and/or database related services between signaling points in the CCS network.

COMPETITIVE ACCESS PROVIDER SERVICES TARIFF

SECTION 1 - DEFINITIONS, (Cont'd.)

Company: YMax Communications Corp.

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. (T)

800 Data Base Access Service: The term "800 Data Base Access Service" denotes a toll-free originating Trunkside Access Service when the 8XX Service Access Code (i.e., 800, 822, 833, 844, 855, 866, 877, or 888 as available) is used. The term 8XX is used interchangeably with 800 Data Base Service throughout this tariff to describe this service. (T)

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. (T)

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 (T)

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. (T)

Entrance Facility: A trunk facility connecting the Customer's point of presence with the local switching center.

Exchange Carrier: Any individual, partnership, association, joint-stock company, trust, governmental entity or corporation engaged in the provision of local exchange telephone service.

Firm Order Confirmation (FOC): Acknowledgment by the Company of receipt of an Access Service Request from the Customer and commitment by the Company of a Service Date.

Individual Case Basis: A service arrangement in which the regulations, rates and charges are developed based on the specific circumstances of the Customer's situation.

COMPETITIVE ACCESS PROVIDER SERVICES TARIFF

SECTION 1 - DEFINITIONS, (Cont'd.)

Mutual Traffic Exchange: A compensation arrangement between certified local exchange service providers where local exchange service providers pay each other "in kind" for terminating local exchange traffic on the other's network.

Network Services: The Company's telecommunications Access Services offered on the Company's Network.

Non-Recurring Charges: The one-time initial charges for services or facilities, including but not limited to charges for construction, installation, or special fees, for which the Customer becomes liable at the time the Service Order is executed.

Off-Hook: The active condition of Switched Access or a telephone exchange service line.

On-Hook: The idle condition of switched access or a telephone exchange service line.

Out of Band Signaling: An exchange access signaling feature which allows customers to exchange call control and signaling information over a communications path which is separate from the message path.

Point of Presence: Location where the Customer maintains a facility for purposes of interconnecting to the Company's Network.

Premises: The space occupied by a Customer or Authorized User in a building or buildings or on contiguous property (except railroad rights-of-way, etc.).

Presubscription: An arrangement whereby an End User may select and designate to the Company an Interexchange Carrier (IXC) or Carriers it wishes to access, without an Access Code, for completing both intraLATA toll calls and/or interLATA calls. The selected IXC(s) are referred to as the End User's Primary Interexchange Carrier (PIC).

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.

(N)
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(N)

COMPETITIVE ACCESS PROVIDER SERVICES TARIFF

SECTION 1 - DEFINITIONS, (Cont'd.)

Recurring Charges: The monthly charges to the Customer for services, facilities and equipment, which continue for the agreed upon duration of the service.

Service Order: The written request for Network Services executed by the Customer and the Company in a format devised by the Company; or, in the alternative, the submission of an Access Service Request by the Customer in the manner specified in this tariff.

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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(T)

Service(s): The Company's telecommunications Access Services offered on the Company's Network.

Signaling Point of Interface: The Customer designated location where the SS7 signaling information is exchanged between the Company and the Customer.

Signaling System 7 (SS7): The common Channel Out of Band Signaling protocol developed by the Consultative Committee for International Telephone and Telegraph (CCITT) and the American National Standards Institute (ANSI).

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.

(T)
(T)

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

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

(N)
(N)

Wireless Provider: Any carrier authorized to operate as a provider of cellular, personal communications, paging or any other form of wireless transmission.

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

(N)
(N)

COMPETITIVE ACCESS PROVIDER SERVICES TARIFF

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

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

2.3.4 Identification and Rating of VoIP-PSTN Traffic

(N)

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. The Company will not charge for functions not performed by the Company or its affiliated or unaffiliated provider of VoIP service. For purposes of this provision, functions provided by the Company as part of transmitting telecommunications between designated points using, in whole or in part, technology other than TDM transmission in a manner that is comparable to a service offered by a local exchange carrier constitutes the functional equivalent of carrier access service.
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.

(N)

COMPETITIVE ACCESS PROVIDER SERVICES TARIFF

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

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

2.3.4 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.

(N)

(N)

COMPETITIVE ACCESS PROVIDER SERVICES TARIFF

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

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

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

(N)

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.

(N)

COMPETITIVE ACCESS PROVIDER SERVICES TARIFF

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

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

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

(N)

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.

(N)

COMPETITIVE ACCESS PROVIDER SERVICES TARIFF

SECTION 4 - SWITCHED ACCESS SERVICE

4.1 General

4.1.1 Switched Access Service provides a switched, two-point voice-grade communications path (including PSTN or VoIP-PSTN Traffic) between a Customer’s Point of Presence and a point of demarcation with an End User, which may be used to originate calls from such End User to the Customer’s network and to terminate calls from the Customer’s Network to such End User. In the case of Tandem Connect Access, described in 4.2.4.A below, this communications path may be provided jointly by the Company and another Carrier(s), in which case the Company will bill only for the functions it provides pursuant to this Tariff, and each other Carrier will provide the remaining functions under the terms and conditions of any applicable contract or tariff to which it is a party. (C)

A. The completion of an intrastate originating call from an End User’s Terminal Equipment to a Customer’s POP or an intrastate terminating call from a Customer’s POP to an End User’s Terminal Equipment using any Facilities provided by the Company shall constitute the provision of Switched Access Service to the Customer, regardless of whether such call was intended or authorized by the End User regardless of whether the End User or the Company, or either of them, is in compliance with any terms or conditions of any contract, tariff, or other arrangement between the End User and the Company; and regardless of whether the making of such call was authorized under or otherwise in compliance with the terms or conditions of any service provided by the Customer to its subscriber. (N)

4.1.2 When a rate as set forth in this tariff is shown to more than two decimal places, the charges will be determined using the rate shown. The resulting amount will then be rounded to the nearest penny (i.e., rounded to two decimal places).

4.1.3 In the absence of an ASR as described in Section 3, delivery of calls to, or acceptance of calls from, the Customer 's End User location(s) via Company-provided switched 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.

Certain material previously found on this page is now located on Page 56.1.

COMPETITIVE ACCESS PROVIDER SERVICES TARIFF

SECTION 4 - SWITCHED ACCESS SERVICE, (CONT'D.)

4.2 Manner of Provision

(M)(C)

4.2.1 Switched Access is furnished for the Customer's use in originating calls from and terminating calls to End Users.

(M)(C)

4.2.2 [Reserved for Future Use]

(M)(D)

4.2.3 [Reserved for Future Use]

(M)(D)

4.2.4 Three types of Switched Access Services are available:

(C)

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.

4.2.5 Switched Access service will be provide with SS7 signaling or a compatible form of signaling.

(C)

Certain material now found on this page was previously located on Page 56 and 57.

COMPETITIVE ACCESS PROVIDER SERVICES TARIFF

SECTION 4 - SWITCHED ACCESS SERVICE, (Cont'd.)

4.3 Rate Categories

(C)(M)

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

- End Office Switching
- Tandem Switching
- Toll-Free 8XX Data Base Access Service

4.3.1 End Office Switching

End Office Switching includes the following:

- 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;
- 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.

4.3.2 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.

(C)(M)

Certain material previously found on this page is now located on Page 56.1.

COMPETITIVE ACCESS PROVIDER SERVICES TARIFF

SECTION 4 - SWITCHED ACCESS SERVICE, (Cont'd.)

(D)

(D)

4.4 Reports and Testing

(T)

4.4.1 Design Layout Report: At the request of the Customer, the Company will provide to the Customer the makeup of the facilities and services provided from the Customer's Premises to the first point of switching. This information will be provided in the form of a Design Layout Report. The Design Layout Report will be provided to the Customer at no charge.

(T)

4.4.2 Acceptance Testing: At no additional charge, the Company will, at the Customer's request, cooperatively test, at the time of installation, the following parameters: loss, C-notched noise, C-message noise, 3-tone slope, d.c. continuity and operational signaling.

(T)