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BEFORE THE ARIZONA CORPORATION COMMISSION

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TOM FORESE  
Chairman  
BOB BURNS  
Commissioner  
DOUG LITTLE  
Commissioner  
ANDY TOBIN  
Commissioner  
BOYD DUNN  
Commissioner

Arizona Corporation Commission

DOCKETED

JUN 22 2017

DOCKETED BY

IN THE MATTER OF THE APPLICATION )  
OF YMAX COMMUNICAITONS CORP. )  
FOR RESCISSION OF BOND )  
REQUIREMENTS CONTAINED IN )  
ARIZONA CORPORATION COMMISSION )  
DECISION NO. 69644 )

DOCKET NO. T-20434A-17-0056  
DECISION NO. 76140  
ORDER

Open Meeting  
June 13 and 14, 2017  
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On February 24, 2017, YMax Communications Corp. (“YMax” or “Applicant”) submitted an Application requesting elimination of the bond or letter of credit requirement contained in Decision No. 69644.

**Background**

In Decision No. 69644, dated June 6, 2007, the Arizona Corporation Commission (“Commission”) ordered YMax to procure either a performance bond or an irrevocable sight draft letter of credit (“ISDLOC”) equal to \$110,000, file proof of such with Docket Control, and deliver the original to the Commission’s Business Office. YMax was also ordered to keep the performance bond on file in effect until further order of the Commission. On August 6, 2007, YMax filed proof that it had obtained a performance bond in the amount of \$110,000 and had delivered the original to the Commission’s Business Office.

2. Staff has confirmed the Utilities Division is in possession of the following:

- 1 • An original Notice of Reinstatement dated November 18, 2016.
- 2 • An original Notice of Reinstatement dated November 24, 2015.
- 3 • An original Notice of Reinstatement dated November 19, 2013.
- 4 • An original Letter of Reinstatement dated November 29, 2011.
- 5 • An original Letter of Reinstatement dated November 10, 2010.
- 6 • An original Replacement Bond in the amount of \$110,000 dated December 9, 2009.
- 7 • An original bond in the amount of \$110,000 dated June 29, 2007.

### 7 **Compliance**

8 3. According to the Corporations Division, YMax is in good standing. The Compliance  
9 Section of the Utilities Division reports that YMax is currently in compliance. The Consumer Services  
10 Section of the Utilities Division reports there were no complaints or opinions about YMax between  
11 January 1, 2014 and April 26, 2017. YMax filed its 2015 Utilities Annual Report on April 11, 2016.

### 12 **Staff Recommendations**

13 4. The Commission has, in appropriate circumstances, relieved telecommunications  
14 providers of the obligation to maintain a performance bond or ISDLOC. Staff recommends YMax be  
15 relieved of the \$110,000 performance bond or ISDLOC obligation contained in Decision No. 69644.

16 5. The Applicant states that in order to release the bond, it is sufficient for the  
17 Commission to include in an ordering paragraph language authorizing the Applicant to cancel, rescind,  
18 discontinue and be released from the performance bond or ISDLOC requirements set by Decision  
19 No. 69644 and authorizing cancellation of the bond effective with the date of the Order issued in this  
20 case.

21 6. YMax requested that the bond documentation should be returned to the following  
22 name and address:

23 Mr. Mark Pavol  
24 YMax Communications Corp.  
25 222 Lakeview Ave., Suite 1600  
West Palm Beach, FL 33401

### 26 CONCLUSIONS OF LAW

27 1. YMax Communications Corp. is a public service corporation within the meaning of  
28 Article XV of the Arizona Constitution.



1 IT IS FURTHER ORDERED that the bond documentation on file with the Commission on  
2 behalf of YMax Communications Corp. be returned to the following name and address provided by  
3 the Applicant:

4 Mr. Mark Pavol  
5 YMax Communications Corp.  
6 222 Lakeview Ave., Suite 1600  
7 West Palm Beach, FL 33401

8 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

9 **BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION**

10 *Th. Forese*

11 *[Signature]*

12 CHAIRMAN FORESE

13 COMMISSIONER DUNN

14 *[Signature]*

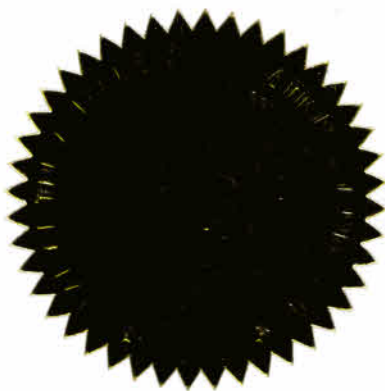
15 *[Signature]*

16 *[Signature]*

17 COMMISSIONER TOBIN

18 COMMISSIONER LITTLE

19 COMMISSIONER BURNS



20 IN WITNESS WHEREOF, I, TED VOGT, Executive  
21 Director of the Arizona Corporation Commission, have  
22 hereunto, set my hand and caused the official seal of this  
23 Commission to be affixed at the Capitol, in the City of  
24 Phoenix, this 22nd day of June, 2017.

25 *[Signature]*

26 TED VOGT  
27 EXECUTIVE DIRECTOR

28 DISSENT: \_\_\_\_\_

DISSENT: \_\_\_\_\_

EOA:BLS:nr\BAH

1 SERVICE LIST FOR: YMax Communications Corp.  
2 DOCKET NO. T-20434A-17-0056

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