

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

**IN THE MATTER OF THE FILING BY YMAX  
COMMUNICATIONS CORP. FOR APPROVAL OF  
REVISIONS TO ITS TARIFF NO. 2**

**ORDER SUSPENDING TARIFF**

**TC12-104**

On June 28, 2012, the Public Utilities Commission (Commission) received a filing from YMax Communications Corp. (YMax) for approval of revisions to its Tariff No. 2. The purpose of this filing is to make revisions to incorporate the requirements of the Federal Communications Commission's Report and Order in WC Docket No. 10-90, et al., FCC No. 11-161 (released November 18, 2011) regarding the treatment of Toll VoIP-PSTN traffic. Additionally, this filing revises intrastate access rates to mirror YMax's interstate access rates. YMax respectfully requests an effective date for this filing of July 1, 2012. On July 5, 2012, the Commission electronically transmitted notice of the filing and the intervention deadline of July 20, 2012, to interested individuals and entities.

On July 11, 2012, AT&T Communications of the Midwest Inc. (AT&T) filed a Petition to Intervene and Request to Suspend the Tariff and Investigate. On July 23, 2012, staff filed a request with the Commission to suspend the tariff for 120 days effective July 1, 2012. At its regularly scheduled meeting on July 31, 2012 the Commission granted intervention to AT&T and suspended the tariff for 120 days. On August 13, 2012, staff filed a request with the Commission to suspend the tariff an additional 60 days pursuant to SDCL 49-31-12.4(2).

At its regularly scheduled meeting of August 28, 2012, the Commission considered this matter. The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31. After hearing from the parties, the Commission voted unanimously to suspend the tariff, pursuant to SDCL 49-31-12.4, for an additional 60 days. It is therefore

ORDERED, that the Commission suspend the tariff for an additional 60 days.

Dated at Pierre, South Dakota, this 7<sup>th</sup> day of September, 2012.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically.

By: Joy Huey

Date: Sept. 7<sup>th</sup>, 2012

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson  
CHRIS NELSON, Chairman

Kristie Fiegen  
KRISTIE FIEGEN, Commissioner

Gary Hanson  
GARY HANSON, Commissioner