



210 N. Park Ave.  
Winter Park, FL  
32789

P.O. Drawer 200  
Winter Park, FL  
32790-0200

Tel: 407-740-8575  
Fax: 407-740-0613  
tmi@tminc.com

ORIGINAL ~~05664-17~~

RECEIVED-EPSC

JUN 14 AM 10:24

COMMISSION  
CLERK

June 13, 2005  
Overnight Delivery

Ms. Blanca Bayo, Director  
Division of the Commission Clerk and  
Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

RE: Application of YMax Communications Corp. for Authority to Provide Alternative  
Local Exchange Services within the State of Florida

Dear Ms. Bayo:

Enclosed for filing are the original and six (6) copies of the above-referenced application of  
YMax Communications Corp. Also enclosed is a check in the amount of \$250 to cover the  
filing fee.

Please acknowledge receipt of this filing by returning, filed stamped, the extra copy of this  
letter in the self-addressed stamped envelope provided for that purpose.

Any questions you may have regarding this application may be addressed to me at the above  
address, by calling (407) 740-3031 or via email to sthomas@tminc.com. Thank you for your  
assistance.

Sincerely,

Sharon Thomas  
Consultant to YMax Communications Corp.

Enclosures

cc: G. Luff - YMax  
file: YMax - FL Local  
tms: FLL0500

Check received with filing and forwarded  
to Fiscal for deposit. Fiscal to forward  
deposit information to Records.

Initials of person who forwarded check:

W.S.

RECEIVED & FILED

  
EPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

~~05664~~ JUN 14 03

FPSC-COMMISSION CLERK

YMAX CORPORATION

0091  
63-1322/631  
32036

DATE MAY 20, 2005

PAY TO THE ORDER OF

FLORIDA PSC

\$ 250.-

Two Hundred Fifty

DOLLARS

Security features are included. Details on back.



**COLONIAL BANK**, N.A.

Palm Beach, Florida  
24 Hr Colonial Connection 1-877-502-2265

FOR \_\_\_\_\_

MP

GUARDIAN OF SAFETY  
© 2005 Colonial Bank, N.A.

**FLORIDA PUBLIC SERVICE COMMISSION**  
**DIVISION OF COMPETITIVE MARKETS AND ENFORCEMENT**  
**CERTIFICATION**

**APPLICATION FORM**

for

**AUTHORITY TO PROVIDE**  
**ALTERNATIVE LOCAL EXCHANGE SERVICE**  
**WITHIN THE STATE OF FLORIDA**

---

**Instructions**

This form is used as an application for a certificate and for approval of the assignment or transfer of an existing certificate. In case of an assignment or transfer, the information provided shall be for the assignee or transferee. (See Page 12).

Print or type all responses to each item requested in the application and appendices. If an item is not applicable, please explain why.

Use a separate sheet for each answer which will not fit the allotted space.

Once completed, submit the original and six (6) copies of this form along with a non-refundable application fee of **\$250.00** to:

**Florida Public Service Commission**  
**Division of Commission Clerk and Administrative Services**  
**2540 Shumard Oak Boulevard**  
**Tallahassee, Florida 32399-0850**  
**(850) 413-6770**

- If you have any questions about completing the form, contact:

**Florida Public Service Commission**  
**Division of Competitive Markets and Enforcement**  
**Certification**  
**2540 Shumard Oak Boulevard**  
**Tallahassee, Florida 32399-0850**  
**(850) 413-6600**

# APPLICATION

1. **This is an application for  $\checkmark$  (check one):**

**Original certificate** (new company)

**Approval of transfer of existing certificate:** Example, a non-certificated company purchases an existing company and desires to retain the original certificate authority.

**Approval of assignment of existing certificate:** Example, a certificated company purchases an existing company and desires to retain the original certificate authority of that company.

**Approval of transfer of control:** Example, a company purchases 51% of a certificated company. The Commission must approve the new controlling entity.

2. **Name of company:**

YMax Communications Corp..

3. **Name under which the applicant will do business (fictitious name, etc.):**

See response to Item 2 above.

4. **Official mailing address (including street name & number, post office box, city, state, zip code):**

**Name:** YMax Communications Corp.

**Street:** P.O. Box 703

**P.O. Box:**

**City:** Palm Beach

**State:** Florida

**Zip Code:** 33480

5. **Florida address (including street name & number, post office box, city, state, zip code):**

**Name:** YMax Communications Corp.

**Street:** P.O. Box 703

**P.O. Box:**

**City:** Palm Beach

**State:** Florida

**Zip Code:** 33480

**6. Structure of organization:**

- |                          |                     |                                     |                     |
|--------------------------|---------------------|-------------------------------------|---------------------|
| <input type="checkbox"/> | Individual          | <input checked="" type="checkbox"/> | Corporation         |
| <input type="checkbox"/> | Foreign Corporation | <input type="checkbox"/>            | Foreign Partnership |
| <input type="checkbox"/> | General Partnership | <input type="checkbox"/>            | Limited Partnership |
| <input type="checkbox"/> | Other _____         |                                     |                     |

**7. If individual, provide:**

**Name:** Not applicable  
**Title:**  
**Address:**  
**City, State, Zip:**  
**Telephone No.:** **Fax No.:**  
**Internet E-Mail Address:**  
**Internet Website Address:**

**8. If incorporated in Florida, provide proof of authority to operate in Florida:**

**The Florida Secretary of State corporate registration number:**

Not applicable.

**9. If foreign corporation, provide proof of authority to operate in Florida:**

**The Florida Secretary of State corporate registration number:**

F05000003375

**10. If using fictitious name-d/b/a, provide proof of compliance with fictitious name statute (Chapter 865.09, FS) to operate in Florida:**

**The Florida Secretary of State fictitious name registration number:**

Not applicable

**11. If a limited liability partnership, provide proof of registration to operate in Florida:**

**The Florida Secretary of State registration Number:**

Not applicable

12. **If a partnership, provide name, title and address of all partners and a copy of the partnership agreement.**

**Name:** Not applicable  
**Title:**  
**Address:**  
**City, State, Zip:**  
**Telephone No.:** Fax No.:  
**Internet E-Mail Address:**  
**Internet Website Address:**

13. **If a foreign limited partnership, provide proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS), if applicable.**

**The Florida registration number:** Not applicable

14. **Provide F.E.I. Number (if applicable):** 20-2895382

15. **Indicate if any of the officers, directors, or any of the ten largest stockholders have previously been:**

(a) **adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. Provide explanation.**

None

(b) **an officer, director, partner or stockholder in any other Florida certificated telephone company, If yes, give name of company and relationship. If no longer associated with company, give reason why not.**

From May 1989 through January 1999, Dr. Daniel Borislow was an officer, director and shareholder of Tel-Save Holdings., (now Talk America Inc.) a company certificated to provide local and long distance services in Florida. Dr. Borislow currently has no ownership or other interest in Talk America Inc.

**16. Who will serve as liaison to the Commission with regard to the following?**

**(a) The application:**

**Name:** Sharon Thomas  
**Title:** Consultant  
**Address:** P.O. Drawer 200  
**City, State, Zip:** Winter Park, FL 32790-0200  
**Telephone No.:** (407) 740-3031  
**Fax No.:** (407) 740-0613  
**Internet E-Mail Address:** sthomas@tminc.com  
**Internet Website Address:** www.tminc.com

**(b) Official point of contact for the ongoing operations of the company:**

**Name:** Dr. Daniel Borislow  
**Title:** CEO and President  
**Address:** P.O. Box 703  
**City, State, Zip:** Palm Beach, FL 33480  
**Telephone No.:** (561) 832-3021  
**Fax No.:** (561) 832-8377  
**Internet E-Mail Address:**  
**Internet Website Address:** N/A

**(c) Complaints/Inquiries from customers:**

**Name:** Greg Luff  
**Title:**  
**Address:** P.O. Box 703  
**City, State, Zip:** Palm Beach, FL 33480  
**Telephone No.:** (561) 832-3021  
**Fax No.:** (561) 832-8377  
**Internet E-Mail Address:** Gluff5331@aol.com  
**Internet Website Address:**

**17. List the states in which the applicant:**

- (a) has operated as an alternative local exchange company**

None

- (b) has applications pending to be certificated as an alternative local exchange company.**

None

- (c) is certificated to operate as an alternative local exchange company.**

None

- (d) has been denied authority to operate as an alternative local exchange company and the circumstances involved.**

None

- (e) has had regulatory penalties imposed for violations of telecommunications statutes and the circumstances involved.**

None

- (f) has been involved in civil court proceedings with an interexchange carrier, local exchange company or other telecommunications entity, and the circumstances involved.**

None



18. **Submit the following:**

- A. **Managerial capability: give resumes of employees/officers of the company that would indicate sufficient managerial experiences of each.**

Please see Exhibit I.

- B. **Technical capability: give resumes of employees/officers of the company that would indicate sufficient technical experiences or indicate what company has been contracted to conduct technical maintenance.**

Please see Exhibit I.

- C. **Financial capability.**

The application **should contain** the applicant's audited financial statements for the most recent 3 years. If the applicant does not have audited financial statements, it shall so be stated.

The unaudited financial statements should be signed by the applicant's chief executive officer and chief financial officer **affirming that the financial statements are true and correct** and should include:

1. The balance sheet;
2. Income statement; and
3. Statement of retained earnings.

**NOTE:** *This documentation may include, but is not limited to, financial statements, a projected profit and loss statement, credit references, credit bureau reports, and descriptions of business relationships with financial institutions.*

Further, the following (which includes supporting documentation) should be provided:

1. **written explanation** that the applicant has sufficient financial capability to provide the requested service in the geographic area proposed to be served.
2. **written explanation** that the applicant has sufficient financial capability to maintain the requested service.
3. **written explanation** that the applicant has sufficient financial capability to meet its lease or ownership obligations.

Please see Exhibit II.

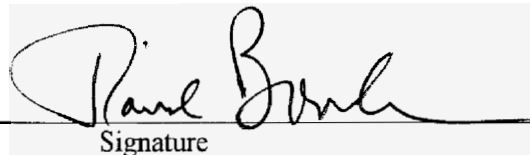
THIS PAGE MUST BE COMPLETED AND SIGNED

**APPLICANT ACKNOWLEDGMENT STATEMENT**

1. **REGULATORY ASSESSMENT FEE:** I understand that all telephone companies must pay a regulatory assessment fee in the amount of .15 of one percent of gross operating revenue derived from intrastate business. Regardless of the gross operating revenue of a company, a minimum annual assessment fee of \$50 is required.
2. **APPLICATION FEE:** I understand that a non-refundable application fee of \$250.00 must be submitted with this application.

**UTILITY OFFICIAL:**

Daniel Borislow  
Print Name

  
Signature

CEO and President  
Title

6/4/05  
Date

561-832-3021  
Telephone Number

(561) 832-8377  
Fax No.

Address:

P.O. Box 703

Palm Beach, FL 33480

**THIS PAGE MUST BE COMPLETED AND SIGNED**

**AFFIDAVIT**

By my signature below, I, the undersigned officer, attest to the accuracy of the information contained in this application and attached documents and that the applicant has the technical expertise, managerial ability, and financial capability to provide alternative local exchange service in the State of Florida. I have read the foregoing and declare that to the best of my knowledge and belief, the information is true and correct. I attest that I have the authority to sign on behalf of my company and agree to comply, now and in the future, with all applicable Commission rules and orders.

**Further, I am aware that pursuant to Chapter 837.06, Florida Statutes, AWhoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s.775.082 and s. 775.083".**

**UTILITY OFFICIAL:**

Daniel Borislow

Print Name



Signature

CEO and President

Title

6/6/05

Date

561-832-3021

Telephone Number

(561) 832-8377

Fax No.

Address:

P.O. Box 703

Palm Beach, FL 33480

**INTRASTATE NETWORK** (if available)

Chapter 25-24.825 (5), Florida Administrative Code, requires the company to make available to staff the alternative local exchange service areas only upon request.

**1. POP:** Addresses where located, and indicate if owned or leased.

1) \_\_\_\_\_ 2)

3) \_\_\_\_\_ 4)

**2. SWITCHES:** Address where located, by type of switch, and indicate if owned or leased.

1) \_\_\_\_\_ 2)

3) \_\_\_\_\_ 4)

**3. TRANSMISSION FACILITIES:** POP-to-POP facilities by type of facilities (microwave, fiber, copper, satellite, etc.) And indicate if owned or leased.

Type of POP-to POP

Owned or Leased

1)

2)

3)

4)

**YMax Communications Corp.**

**Exhibit I**

**Management Profiles**

## **Management Profile**

### **Dr. Daniel Borislow, CEO, President, Chairman and Director**

Dr. Daniel Borislow currently serves as the Chairman, Chief Executive Officer, President and Director of YMax Communications Corp. and resides in Palm Beach, Florida. He is a graduate of Widener University and is a Doctor of Information Technology. From May 1989 through January 1999, Dr. Borislow served as CEO and a Director of Tel-Save Holdings now Talk America. Tel-Save was a very profitable corporation. As the largest reseller and customer of AT&T, Tel-Save offered wholesale long distance to other resellers through marketing and partnership agreements. Dr. Borislow took his company public in 1995 and built his own long distance network by strategically deploying five (5) Lucent class 5E switches across the United States. In 1997 Dr. Borislow negotiated exclusive marketing rights with America Online and was the first company to offer services online with online billing, provisioning and customer service and a price point substantially lower than the rest of the market. Prior to founding Tel-Save Incorporated, Dr. Borislow built the cable systems in the city of Philadelphia. Dr. Borislow is an avid Fisherman, Horseman and philanthropist for education, cancer research and children's athletics.

**YMax Communications Corp.**

**Exhibit II**

**Financial Capability**

## **Financial Capability**

YMax Communications Corp. is a start-up company, which was incorporated in May 2005. As such, the Company does not have audited financial statements. Attached is the Company's balance sheet as of May 17, 2005, which demonstrates that the Company has adequate capital to provide local telecommunications services in the State of Florida.

The Company currently has no lease or ownership obligations in connection with the services it intends to offer in Florida.



05/17/05

**YMax Corporation**  
**Balance Sheet**  
As of May 17, 2005

	<u>May 17, '05</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
Colonial Bank	1,000.00
<b>Total Checking/Savings</b>	1,000.00
<b>Other Current Assets</b>	
Line Of Credit Available	<u>5,000,000.00</u>
<b>Total Other Current Assets</b>	<u>5,000,000.00</u>
<b>Total Current Assets</b>	5,001,000.00
<b>Other Assets</b>	
Domain Names	<u>11,802.22</u>
<b>Total Other Assets</b>	<u>11,802.22</u>
<b>TOTAL ASSETS</b>	<b><u>5,012,802.22</u></b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Long Term Liabilities</b>	
Line Of Credit	5,000,000.00
Loan from DB	<u>11,802.22</u>
<b>Total Long Term Liabilities</b>	<u>5,011,802.22</u>
<b>Total Liabilities</b>	5,011,802.22
<b>Equity</b>	
Opening Bal Equity	<u>1,000.00</u>
<b>Total Equity</b>	<u>1,000.00</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>5,012,802.22</u></b>