

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of)
YMax Communications Corp. for a license) Case No. U-14826
to provide basic local exchange service) Evidentiary Hearing
throughout the State of Michigan in the)
zones and exchanges served by AT&T)
Michigan, Verizon North Inc. and Verizon)
North Systems.)
_____)

VOLUME 1

Proceedings held in the above-entitled matter
before Barbara A. Stump, Administrative Law Judge, at the
Michigan Public Service Commission, 6545 Mercantile Way,
Lansing, Michigan on Wednesday, June 14, 2006 at 9:00 a.m.

APPEARANCES:

On behalf of YMax Communications Corp.:
Mr. Michael S. Ashton (P40474)
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On behalf of the Commission Staff:
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Lansing, Michigan

Wednesday, June 14, 2006

At approximately 9:00 a.m.

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JUDGE STUMP: We're on the record in the matter of the application of YMax Communications Corp. for a license to provide basic local exchange service throughout the State of Michigan in the zones and exchanges served by AT&T Michigan, Verizon North, Inc., and Verizon North Systems. The Case No. is U-14826. This is the time scheduled for an evidentiary. Could I have the appearances please?

MR. ASHTON: Yes, your Honor, Michael Ashton on behalf of the Applicant, YMax Communications Corp.

MR. ORRIS: Michael Orris, on behalf of the Staff of the Michigan Public Service Commission.

JUDGE STUMP: Thank you. Are you ready to proceed, Mr. Ashton?

MR. ASHTON: Yes, your Honor. At this time, the Applicant would request that the direct testimony of Daniel Borislow, which consists of six pages be bound into the record, and that the prefiled Exhibits A-1 through A-5 be admitted. Also we have Exhibit A-6, which is the Affidavit of Mr. Borislow; and, pursuant to my understanding with Staff, cross examination of Mr. Borislow will be waived.

JUDGE STUMP: And you issued a Notice of Hearing?

1 MR. ASHTON: Yes, we did. Pursuant to the
2 Commission's request on June 2, 2006 we sent a Notice of
3 Hearing and properly filed that with the Commission.

4 JUDGE STUMP: All right, that's acceptable to
5 Staff?

6 MR. ORRIS: Yes, it is your Honor.

7 JUDGE STUMP: The testimony will be bound into the
8 record.

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STATE OF MICHIGAN
PUBLIC SERVICE COMMISSION

In the Matter of the Application of	)	
YMax Communications Corp.	)	
for a License to Provide Basic Local	)	
Exchange Service throughout the State	)	Case No. U-14826
of Michigan in the Zones and Exchanges	)	
served by AT&T Michigan, Verizon North, Inc,	)	
and Verizon North Systems	)	

DIRECT TESTIMONY OF DANIEL BORISLOW, PhD.
PRESIDENT AND CHIEF EXECUTIVE OFFICER

ON BEHALF OF

YMAX COMMUNICATIONS CORP.

1 **Q. Please state your name and business address.**

2 A. My name is Daniel Borislow. I am the President, Chief Executive Officer, Chairman of the
3 Board and sole shareholder of YMax Communications Corp. ("YMax"). My business address is 223
4 Sunset Avenue, Suite 223, Palm Beach Florida 33480. My telephone number is (561) 832-3021.

5

6 **Q. Please provide a brief description of your background and experience.**

7 A. I have more than twenty-five years of experience in the telecommunications industry. In
8 1989 I founded Tel-Save Holdings, which was initially a long distance reseller that became the
9 largest reseller and customer of AT&T. From Tel-Save's inception until 1999, I served as the
10 company's Chief Executive Officer and Director. In 1995, I took Tel-Save public and utilized the
11 equity investment to build a long distance network by strategically deploying five Lucent class
12 5E switches across the United States. In 1997, I negotiated exclusive marketing rights with
13 America Online and Tel-Save became the first telecommunications company to offer services
14 online with online customer billing, provisioning and customer service. In 1999, I resigned my
15 positions at Tel-Save and sold my interest in the company.

16

17 Prior to founding Tel-Save, I built the cable systems in the city of Philadelphia. I hold
18 Doctorate of Information Technology from Widener University.

19

20 **Q. Would you please describe the purpose of your testimony.**

21 A. Yes, The purpose of my testimony is to demonstrate that YMax Communications Corp. ("YMax"
22 or "the Company") is technically, financially, and managerially capable to operate as a Competitive Local
23 Exchange Carrier ("CLEC") and to thereby provide local exchange services in the state of Michigan.

1 **Q. Would you please provide a brief overview of YMax Communications Corp.?**

2 A. Yes. YMax Communications Corp. is a Delaware corporation and is authorized to transact
3 business in the State of Michigan. Copies of YMax's Articles of Incorporation and the Certificate of
4 Good Standing in Michigan are attached as Exhibit 1 to this testimony.

5

6 **Q. With respect to Michigan, where does YMax intend to provide services?**

7 A. YMax proposes to provide service in the local exchange areas of AT&T Michigan, Verizon
8 North, Inc. and Verizon North Systems.

9

10 **Q. Does YMax have the financial capabilities to serve all customers within the geographic area**
11 **of its requested license?**

12 A. Yes. YMax has the financial capabilities to serve all customers within the geographic area of the
13 license it is requesting. YMax's resources are demonstrated by the Company's Balance Sheet, which are
14 attached as Exhibit 2 to this testimony.

15

16 **Q. Does YMax have the managerial resources to provide basic local exchange services to**
17 **customers in these local exchange areas?**

18 A. Yes. YMax Communications Corp. possesses the managerial qualifications to provide its
19 proposed local exchange telecommunications services. The senior management of YMax has extensive
20 experience in the provision of telecommunications services, and its highly qualified technical staff will
21 ensure that YMax's operations will meet the most demanding standards for service quality and reliability.

22 A list of Senior Management and brief descriptions of YMax's Senior Managers' experiences in
23 telecommunications are attached as Exhibits 3 and 4 to this testimony.

1 **Q. Does YMax have the technical resources to provide basic local exchange service within the**
2 **geographic area of its license?**

3 A. Yes. YMax has the technical resources to serve all customers within the geographic area of its
4 license. Further, YMax's management team includes highly experienced and skilled personnel in the
5 telecommunications industry.

6
7 **Q. Will granting YMax's license adversely affect the public interest?**

8 A. No. Granting YMax a license will have no adverse affect on the public interest whatsoever. In
9 fact, the granting of the license will permit greater customer choice. YMax will provide greater
10 incentives for other telecommunications companies to better serve Michigan customers. In this respect,
11 YMax will greatly enhance competition in the telecommunications field.

12
13 **Q. Does YMax have a small and minority owned telecommunication business participation**
14 **plan?**

15 A. Yes. YMax has a small and minority owned telecommunication business participation plan for
16 purchasing goods and services from small and minority owned telecommunication businesses. This plan
17 is included as Exhibit 5 to this testimony.

1 **Q.** **When does YMax intend to provide basic local exchange, private line services or other types**
2 **of high-speed data services in the State of Michigan?**

3 **A.** The company has not established a precise timetable for the commencement of local services,
4 whether facilities-based or resale within Michigan. The Company does plan on offering service with
5 Michigan with one year of the approval of this application. The Company will not commence offering
6 services until appropriate and necessary arrangements with the incumbent Local Exchange Carrier
7 ("ILEC") are filed with and approved by this Commission.

8

9 **Q.** **Does this conclude your testimony?**

10 **A.** Yes.

1 JUDGE STUMP: Exhibits A-1 through A-6 are admitted
2 into evidence. I assume that the parties waive Section 81 of
3 the APA?

4 MR. ASHTON: That's correct, your Honor.

5 MR. ORRIS: Correct.

6 JUDGE STUMP: I'll transmit this to the Commission
7 for an order. Thank you.

8 (Proceedings concluded at 9:05 a.m.)
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C E R T I F I C A T E

STATE OF MICHIGAN)

COUNTY OF INGHAM)

I certify that this transcript, consisting of 11 pages, is a complete, true and correct transcript of the proceedings and testimony taken in this case on June 14, 2006.



Signature
Not Verified

**Lorea A.
Spicer**

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