



Embry Merritt Shaffar Womack, PLLC  
Attorneys at Law

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DEC 20 2012

PUBLIC SERVICE  
COMMISSION

December 20, 2012

Mr. Jeff DeRouen, Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40602  
*Via Hand-Delivery*

**RE: Petition of YMAX Communications Corp. for Designation as an Eligible  
Telecommunications Carrier in the Commonwealth of Kentucky**

Dear Mr. DeRouen:

Please find enclosed for filing an original and ten (10) copies of YMAX Communications Corp.'s Petition for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Kentucky.

Should you have any questions regarding the enclosed, please contact me at your convenience.

Very truly yours,

Darren L. Embry

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DEC 20 2012

PUBLIC SERVICE  
COMMISSION

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF

PETITION OF )  
YMAX COMMUNICATIONS CORP. )  
FOR DESIGNATION AS AN ELIGIBLE )  
TELECOMMUNICATIONS CARRIER IN ) CASE NO. \_\_\_\_  
THE COMMONWEALTH OF KENTUCKY )

PETITION OF YMAX COMMUNICATIONS CORP. FOR DESIGNATION AS  
AN ELIGIBLE TELECOMMUNICATIONS CARRIER IN THE COMMONWEALTH  
OF KENTUCKY

YMax Communications Corp. (“YMAX,” “Applicant” or the “Company”), pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended (the “Act”)<sup>1</sup> and Sections 54.101 through 54.207 of the Rules of the Federal Communications Commission (“FCC”),<sup>2</sup> and the rules and regulations of the Kentucky Public Service Commission (the “Commission”), hereby applies to the Commission for designation as an Eligible Telecommunications Carrier (“ETC”) throughout the BellSouth Telecommunications, Inc. d/b/a AT&T Kentucky service territory (the “Designated Service Area”) for the purpose of receiving federal and state universal service support. The Applicant is seeking only low income support, and is not requesting high cost support. As demonstrated below, YMAX satisfies all of the statutory and regulatory requirements for designation as an ETC in the Designated Service Area, including the new requirements outlined in the FCC’s *Lifeline and Link Up Reform Order*.<sup>3</sup> Furthermore,

<sup>1</sup> 47 U.S.C. § 214(e)(2).

<sup>2</sup> 47 C.F.R. §§ 54.101-54.207.

<sup>3</sup> *In the Matter of Lifeline and Link Up Reform and Modernization, Lifeline and Link Up, Federal-State Joint Board on Universal Service, Advancing Broadband Availability Through Digital Literacy Training*, WC Docket No. 11-42, WC Docket No. 03-109, CC Docket No. 96-45, WC Docket No. 12-23, Report and Order and Further Notice of Proposed Rulemaking, FCC 12-11 (rel. Feb. 6, 2012) (“*Lifeline and Link Up Reform Order*”).

designation of YMAX as an ETC in the Designated Service Area will serve the public interest.

Accordingly, YMAX respectfully requests that the Commission grant this Application.

All correspondence, communications, pleadings, notices, orders and decisions relating to this Application should be addressed to:

Lance J.M. Steinhart  
Lance J.M. Steinhart, P.C.  
Attorneys for Applicant  
1725 Windward Concourse, Suite 150  
Alpharetta, Georgia 30005  
(770) 232-9200 (Phone)  
(770) 232-9208 (Fax)  
E-Mail: lsteinhart@telecomcounsel.com

With a copy to Applicant's local counsel:

Darren Embry  
Attorney At Law  
Embry Merritt Shaffar Womack, PLLC  
155 E. Main Street; Suite 260  
Lexington, Kentucky 40507  
(859) 543-0453  
(800) 505-0113 (facsimile)  
E-Mail: darren@emswlaw.com

## **I. Background**

1. YMax Communications Corp. is a Delaware Corporation<sup>4</sup> and is authorized to conduct business as a foreign Corporation in the Commonwealth of Kentucky. Copies of the Applicant's Certificate of Incorporation and authority to transact business in the Commonwealth of Kentucky are on file with the Commission and incorporated herein by reference. The Applicant is authorized to operate as a local exchange carrier in Kentucky. The principal office of the Applicant is located at 5700 Georgia Ave, West Palm Beach, Florida 33405. The telephone number of the Applicant is (561) 586-3380. The Applicant will provide local

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<sup>4</sup> YMAX was incorporated in the State of Delaware on May 24, 2005.

exchange services in the Designated Service Area using a combination of its own facilities and resale of another carrier's services.

2. As set forth in Section 214(e)(2) of the Act, the Commission "shall upon its own motion or upon request designate a common carrier that meets the requirements of [Section 214(e)(1)] as an eligible telecommunications carrier for a service area designated by the State commission."<sup>5</sup> Upon designation as an ETC, the carrier shall be eligible to receive universal support in accordance with Section 254 of the Act.<sup>6</sup>

3. The requirements for designation as an ETC set forth in Section 214(e)(1) are that the carrier must:

- (a) offer the services that are supported by Federal universal support mechanisms under section 254(c), either using its own facilities or a combination of its own facilities and resale of another carrier's services (including the services offered by another eligible telecommunications carrier); and
- (b) advertise the availability of such services and the charges therefore using the media of general distribution.<sup>7</sup>

## **II. YMAX Satisfies the Requirements for Designation as an ETC to Serve the Designated Service Area**

4. YMAX is a common carrier as that term is defined in the Act.<sup>8</sup> The Applicant will provide the supported services in the Designated Service Area.

5. YMAX will offer all of the supported services enumerated under Section 254(c) using its own facilities or a combination of its own facilities and resale of another carrier's services. Accordingly, the Applicant satisfies the requirement set forth in Section 214(e)(1)(A).

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<sup>5</sup> 47 U.S.C. § 214(e)(2); *see* 47 C.F.R. § 54.201(b) (FCC Rules citing the Act's requirements).

<sup>6</sup> 47 U.S.C. § 214(e)(1).

<sup>7</sup> *Id.*

<sup>8</sup> *See* 47 U.S.C. § 153(10) ("the term 'common carrier' or 'carrier' means any person engaged as a common carrier for hire, in interstate or foreign communication by wire or radio or in interstate or foreign radio transmission of energy . . .").

6. The services that are supported by Federal universal support mechanisms under section 254(c) are enumerated at 47 C.F.R. § 54.101(a). These services are:

a) Voice grade access to the public switched telephone network (PSTN).

"Voice grade access" is defined as a functionality that enables a user of telecommunications services to transmit voice communications, including signaling the network that the caller wishes to place a call, and to receive voice communications, including receiving a signal indicating there is an incoming call. YMAX is able to originate and terminate telephone service for all of its subscribers;

b) Local usage. As part of the voice grade access to the PSTN, an ETC must provide minutes of use for local service at no additional charge to end-users. The Company's service includes unlimited local usage that allows customers to originate and terminate calls within the local calling area without incurring toll charges;

c) Access to emergency services. "Access to emergency services" includes access to 911 and enhanced 911 services to the extent the local government in an eligible carrier's service area has implemented 911 or enhanced 911 systems. The Company will provide its customers with access to these services;

d) Toll limitation for qualifying low-income consumers. Toll Blocking allows customers to block the completion of outgoing toll calls. Toll Control allows the customer to limit the dollar amount of toll charges a subscriber can incur during a billing period. YMAX provides

qualifying Lifeline customers with access to toll limitation.<sup>9</sup> The Company will seek toll limitation service (“TLS”) reimbursement from the USF;

- e) While no longer required by 47 C.F.R. § 54.101(a), YMAX provides dual tone multi-frequency (“DTMF”) signaling to expedite the transmission of call set up and call detail information throughout the network, single party service for the duration of each telephone call and not multi-party (or “party-line”) services, access to operator services, the ability to make interexchange, or long distance, telephone calls, and access to directory assistance services.

7. YMAX will advertise the availability of the above-referenced services and the charges for those services in the Designated Service Area using media of general distribution, as required by FCC Rules.<sup>10</sup> Accordingly, the Company satisfies the requirement set forth in Section 214(e)(1)(B). Furthermore, YMAX will certify a customer’s initial and annual eligibility for Lifeline in accordance with 47 C.F.R. § 54.410.

### **III. Area for Which ETC Designation Is Requested**

8. YMAX requests ETC designation throughout all AT&T Kentucky exchanges, as identified in Exhibit 2 attached hereto. YMAX does not seek certification as an ETC in any areas served by rural telephone companies.

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<sup>9</sup> On December 30, 1997, the FCC issued an order clarifying its definition of “toll limitation” services as either toll blocking or toll control and requires carriers to offer only one, not necessarily both, of these services to be designated as an ETC.

<sup>10</sup> See 47 C.F.R. § 54.201(d)(2).

#### **IV. YMAX Satisfies the FCC's Additional Requirements for Designation as an ETC**

9. In accordance with 47 C.F.R. § 54.202(a)(1)(i), Applicant commits to comply with the service requirements applicable to the support that it receives. As a common carrier seeking designation as an ETC for low-income support only, Applicant is not required to submit a five-year network improvement plan.<sup>11</sup>

10. Under FCC guidelines, an ETC Applicant must demonstrate its ability to remain functional in emergency situations (47 CFR §54.202(a)(2)). Since Applicant is providing service to its customers through the use of its own redundant facilities, Applicant will provide to its customers the same ability to remain functional in emergency situations as currently provided by the ILECs to their own customers, including access to a reasonable amount of back-up power to ensure functionality without an external power source, rerouting of traffic around damaged facilities, and the capability of managing traffic spikes resulting from emergency situations.

11. Under FCC guidelines, an ETC Applicant must demonstrate that it will satisfy applicable consumer protection and service quality standards (47 C.F.R § 54.202(a)(3)). Applicant will satisfy all such standards. As part of its certification requirements for providing local exchange services, Applicant must abide by the service quality and consumer protection rules. In addition, Applicant commits to reporting information on an annual basis consistent with 47 C.F.R. § 54.422.

12. FCC Rules no longer require an applicant for ETC status to acknowledge that the FCC may require it to provide equal access to long distance carriers in the event that no other ETC is providing equal access within the service area.<sup>12</sup>

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<sup>11</sup> See *Lifeline and Link Up Reform Order* at ¶ 386; see also 47 C.F.R. § 54.202(a)(1)(ii).

<sup>12</sup> See *id.*

13. An applicant for ETC designation is no longer required to demonstrate that it offers a local usage plan that is "comparable" to the plan offered by the ILEC in the relevant service territory.<sup>13</sup> Nevertheless, Applicant will offer a local usage plan comparable to the one offered by the incumbent LEC in the service areas for which it seeks designation. Applicant will offer a local usage plan with unlimited calling within the customer's local calling area for a flat monthly fee with the same calling scope as AT&T Kentucky.

14. In accordance with 47 C.F.R. § 54.202(a)(4), Applicant is financially and technically capable of providing Lifeline-supported services. YMAX has been offering non-Lifeline telecommunications services since 2006. The Company generates substantial revenues from non-Lifeline services and therefore will not be relying exclusively on Lifeline reimbursement for the Company's operating revenues. The Company has not been subject to enforcement sanctions or ETC revocation proceedings in any state. Furthermore, the senior management of YMAX has great depth in the telecommunications industry and offers extensive telecommunications business technical and managerial expertise to the Company.

15. The Company will provide reduced billing to Lifeline-eligible customers throughout its designated service area. The reduction will include the maximum federal and state Lifeline subsidy amounts.

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<sup>13</sup> See *Lifeline and Link Up Reform Order* at page 208, revised § 54.202(a).

## V. Granting YMAX's Application Will Serve the Public Interest

16. Congress requires that the Commission grant competitive ETC applications in non-rural areas.<sup>14</sup> No specific public interest test is mentioned, as is the case for areas served by rural telephone companies.<sup>15</sup> Thus, the Act provides that the Commission "shall" designate YMAX as an ETC upon finding that the company meets the requirements of Section 54.101(a) and Section 54.202(a) of the FCC's Rules (47 C.F.R. § 54.101(a) and 47 C.F.R. § 54.202(a)).

17. Grant of the Company's Application will serve the public interest and the market as a whole by promoting additional deployment of its unique service offering to the unserved and underserved exchanges in the Designated Service Area and will allow the Company to participate in and offer Lifeline to qualifying consumers throughout these same exchanges. As relevant to the Commission's public interest inquiry, the Company's presence will undeniably include a benefit of increased customer choice, as its service is unique, and serves a specific sector of the public who might well not otherwise be able to obtain wire line service from traditional providers.

18. The unique advantages and disadvantages of the Company's service offering are as follows:

The services are offered to customers on a monthly basis. Services are provided without requiring a security deposit or gaining credit worthiness. Customers have the opportunity to choose products based on current needs and change products if necessary on a monthly basis without incurring large costly fees. The Company's offering provides long distance calling which eliminates the billing of additional monthly fees. Services can be discontinued simply by nonpayment of the next month's services without penalty or disconnection fees.

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<sup>14</sup> See 47 U.S.C. 214(e)(2).

<sup>15</sup> See *Id.*

19. A central purpose of the Telecommunications Act of 1996 was to “promote competition and reduce regulation ... [thereby securing] lower prices and higher quality services ... and encourage the rapid deployment of new telecommunications technologies.”<sup>16</sup> Designation of YMAX as an ETC would further these goals. Granting ETC status to YMAX would allow the Company to obtain federal universal service support, which it will use to offer innovative telecommunications services at competitive prices to consumers in the Designated Service Area.

20. YMAX will publicize the availability of Lifeline service in a manner reasonably designed to reach those likely to qualify for those services. Accordingly, more low-income Kentucky residents will be made aware of the opportunities afforded to them under the Lifeline program and will be able to take advantage of those opportunities by subscribing to YMAX’s service. YMAX will advertise its services through media of general distribution such as television, radio and marketing at targeted retail locations. A sample advertisement is attached hereto as Exhibit 3.

21. Since YMAX’s service is of particular interest to credit-challenged customers—many of whom are low income—who generally cannot obtain service from the incumbent carrier, the granting of ETC status is clearly in the public interest; access to Lifeline can be critically important to a significant portion of the eligible low income consumers. To Applicant’s knowledge, Lifeline services are not being sufficiently advertised and made available to eligible low income consumers in the Designated Service Area. Statistics suggest that there are many eligible customers who are not yet aware of the programs. According to the best data available to Applicant, as of December 31, 2010, fewer than twenty per cent (20%) of consumers eligible for Lifeline Services in the Commonwealth of Kentucky were being provided

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<sup>16</sup> The Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56, 56 (1996).

such services.<sup>17</sup> When additional carriers enter the market with programs designed specifically for such customers, it increases the likelihood that eligible customers will become generally aware of these valuable options for telecommunications service.

22. Applicant is aware that there may be an audit of the use of universal service funds and that the eligible telecommunications service designation is reviewed annually by state commissions.

23. No state has denied any ETC petition filed by Applicant, nor have any such petitions been withdrawn.

24. Applicant hereby asserts its willingness and ability to comply with all the rules and regulations that the Commission may lawfully impose upon Applicant's provision of service contemplated by this Application. Upon Commission request, Applicant is prepared to answer questions or present additional testimony or other evidence about its services within the state.

## **VI. Relief Requested**

For the foregoing reasons, YMAX respectfully requests that the Commission grant its Application and designate the Applicant as an ETC in the Designated Service Area.

Respectfully submitted,



Darren Embry  
Attorney At Law  
Embry Merritt Shaffar Womack, PLLC  
155 E. Main Street; Suite 260  
Lexington, Kentucky 40507  
(859) 543-0453  
(800) 505-0113 (facsimile)  
[darren@emswlaw.com](mailto:darren@emswlaw.com)

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<sup>17</sup> See attached Exhibit 4, 2010 Lifeline Participation Rates by State, which was obtained from the Universal Service Administrative Company ("USAC"), an independent not-for-profit corporation designated as the administrator of the federal Universal Service Fund by the FCC.

and

Lance J.M. Steinhart, Esq.  
Lance J.M. Steinhart, P.C.  
1725 Windward Concourse, Suite 150  
Alpharetta, Georgia 30005  
(770) 232-9200 (Phone)  
(770) 232-9208 (Fax)  
[lsteinhart@telecomcounsel.com](mailto:lsteinhart@telecomcounsel.com) (E-mail)

*Attorneys for YMax Communications Corp.*

Dated December 20, 2012

**List of Exhibits**

|                  |   |
|------------------|---|
| <b>Exhibit 1</b> | <b>Certification</b>                              |
| <b>Exhibit 2</b> | <b>Wire Centers</b>                               |
| <b>Exhibit 3</b> | <b>Sample Advertisement</b>                       |
| <b>Exhibit 4</b> | <b>2010 Lifeline Participation Rates by State</b> |

**Exhibit 1      Certification**

State of Florida )  
 )  
County of Palm Beach )

### Certification

Personally appeared before the undersigned, an officer duly authorized to administer oaths, Peter Russo, who first being duly sworn, deposes and states that he is the Chief Financial Officer of YMax Communications Corp., Applicant in this application, and has read the same and knows the contents thereof, and confirms that the statements made herein are true to the best of his knowledge and belief.

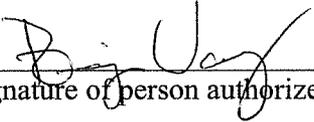
Dated: Nov. 27, 2012



\_\_\_\_\_  
Peter Russo, Chief Financial Officer

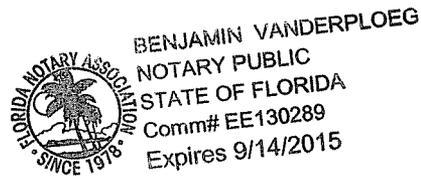
Subscribed and sworn to before me this 27 day of Nov 2012.

(Notary Seal)



\_\_\_\_\_  
(Signature of person authorized to administer oath)

My Commission Expires: 9-14-2015



**Exhibit 2    Wire Centers**

| STATE | STUDY AREA CODE | ILEC       | WIRE CENTER CLLI | WIRE CENTER NAME            |
|-------|-----------------|------------|------------------|-----------------------------|
| KY    | 265182          | BELL SOUTH | ALLNKYMA         | ALLEN                       |
| KY    | 265182          | BELL SOUTH | AURRKYMA         | AURORA                      |
| KY    | 265182          | BELL SOUTH | BDFRKYMA         | BEDFORD                     |
| KY    | 265182          | BELL SOUTH | BGDDKYMA         | BAGDAD                      |
| KY    | 265182          | BELL SOUTH | BLFDKYMA         | BLOOMFIELD                  |
| KY    | 265182          | BELL SOUTH | BLSPKYMA         | BLUFF SPRINGS               |
| KY    | 265182          | BELL SOUTH | BNLYKYMA         | BENHAM LYNCH                |
| KY    | 265182          | BELL SOUTH | BNTNKYMA         | BENTON                      |
| KY    | 265182          | BELL SOUTH | BRGNKYMA         | BURGIN                      |
| KY    | 265182          | BELL SOUTH | BRMNKYMA         | BREMEN                      |
| KY    | 265182          | BELL SOUTH | BRTWKYES         | BARDSTOWN                   |
| KY    | 265182          | BELL SOUTH | BVDMKYMA         | BEAVER DAM                  |
| KY    | 265182          | BELL SOUTH | BWLGKYMA         | BOWLING GREEN STATE STREET  |
| KY    | 265182          | BELL SOUTH | BWLGKYRV         | BOWLING GREEN RICHARDSVILLE |
| KY    | 265182          | BELL SOUTH | BYVLKYMA         | BEATTYVILLE                 |
| KY    | 265182          | BELL SOUTH | CADZKYMA         | CADIZ                       |
| KY    | 265182          | BELL SOUTH | CHPLKYMA         | CHAPLIN                     |
| KY    | 265182          | BELL SOUTH | CLAYKYMA         | CLAY                        |
| KY    | 265182          | BELL SOUTH | CLHNKYMA         | CALHOUN                     |
| KY    | 265182          | BELL SOUTH | CLPTKYMA         | CLOVERPORT                  |
| KY    | 265182          | BELL SOUTH | CLTNKYES         | CLINTON                     |
| KY    | 265182          | BELL SOUTH | CMBGKYMA         | CAMPBELLSBURG               |
| KY    | 265182          | BELL SOUTH | CNCYKYMA         | CENTRAL CITY                |
| KY    | 265182          | BELL SOUTH | CNTNKYMA         | CANTON                      |
| KY    | 265182          | BELL SOUTH | CNTWKYMA         | CENTERTOWN                  |
| KY    | 265182          | BELL SOUTH | COTNKYMA         | CROFTON                     |

|    |        |            |           |                |
|----|--------|------------|-----------|----------------|
| KY | 265182 | BELL SOUTH | CRBNKYMA  | CORBIN         |
| KY | 265182 | BELL SOUTH | CRBOKYMA  | CRAB ORCHARD   |
| KY | 265182 | BELL SOUTH | CRLSKYMA  | CARLISLE       |
| KY | 265182 | BELL SOUTH | CRTNKYMA  | CARROLLTON     |
| KY | 265182 | BELL SOUTH | CYDNKYMA  | CORYDON        |
| KY | 265182 | BELL SOUTH | CYNTKYMA  | CYNTHIANA      |
| KY | 265182 | BELL SOUTH | DAVLKYMA  | DANVILLE       |
| KY | 265182 | BELL SOUTH | DIXNKYMA  | DIXON          |
| KY | 265182 | BELL SOUTH | DRBOKYES  | DRAKESBORO     |
| KY | 265182 | BELL SOUTH | DWSPKYES  | DAWSON SPRINGS |
| KY | 265182 | BELL SOUTH | EDVLKYMA  | EDDYVILLE      |
| KY | 265182 | BELL SOUTH | EKTNKYMA  | ELKTON         |
| KY | 265182 | BELL SOUTH | ELCYKYES  | ELKHORN CITY   |
| KY | 265182 | BELL SOUTH | EMNNKYES  | EMINENCE       |
| KY | 265182 | BELL SOUTH | EMNNKYPL  | CROPPER        |
| KY | 265182 | BELL SOUTH | ENSRKYMA  | ENSOR          |
| KY | 265182 | BELL SOUTH | ERTNKYMA  | EARLINGTON     |
| KY | 265182 | BELL SOUTH | FDCKKYES  | FEDSCREEK      |
| KY | 265182 | BELL SOUTH | FDVLKYMA  | FORDSVILLE     |
| KY | 265182 | BELL SOUTH | FEBRKYMA  | FREEBURN       |
| KY | 265182 | BELL SOUTH | FKLNKYMA  | FRANKLIN       |
| KY | 265182 | BELL SOUTH | FLTNKYMA  | FULTON         |
| KY | 265182 | BELL SOUTH | FNVLYKYMA | FINCHVILLE     |
| KY | 265182 | BELL SOUTH | FORDKYMA  | FORD           |
| KY | 265182 | BELL SOUTH | FRDNKYMA  | FREDONIA       |
| KY | 265182 | BELL SOUTH | FRFTKYES  | FRANKFORT EAST |
| KY | 265182 | BELL SOUTH | FRFTKYMA  | FRANKFORT MAIN |

|    |        |            |          |                  |
|----|--------|------------|----------|------------------|
| KY | 265182 | BELL SOUTH | GBVLKYMA | GILBERTSVILLE    |
| KY | 265182 | BELL SOUTH | GHNTKYMA | GHENT            |
| KY | 265182 | BELL SOUTH | GNVLKYMA | GREENVILLE       |
| KY | 265182 | BELL SOUTH | GRACKYMA | GRACEY           |
| KY | 265182 | BELL SOUTH | GRTWKYMA | GEORGETOWN       |
| KY | 265182 | BELL SOUTH | GTHRKYMA | GUTHRIE          |
| KY | 265182 | BELL SOUTH | HABTKYMA | HABIT            |
| KY | 265182 | BELL SOUTH | HANSKYMA | HANSON           |
| KY | 265182 | BELL SOUTH | HBVLKYMA | HEBBARDSVILLE    |
| KY | 265182 | BELL SOUTH | HCMNKYMA | HICKMAN          |
| KY | 265182 | BELL SOUTH | HDBGKYMA | HARRODSBURG      |
| KY | 265182 | BELL SOUTH | HNSNKYMA | HENDERSON        |
| KY | 265182 | BELL SOUTH | HPVLKYMA | HOPKINSVILLE     |
| KY | 265182 | BELL SOUTH | HRBGKYES | HARDINSBURG      |
| KY | 265182 | BELL SOUTH | HRFRKYMA | HARTFORD         |
| KY | 265182 | BELL SOUTH | HRLNKYMA | HARLAN           |
| KY | 265182 | BELL SOUTH | HWVLKYMA | HAWESVILLE       |
| KY | 265182 | BELL SOUTH | INEZKYMA | INEZ             |
| KY | 265182 | BELL SOUTH | ISLDKYMA | ISLAND           |
| KY | 265182 | BELL SOUTH | JCSNKYMA | JACKSON          |
| KY | 265182 | BELL SOUTH | JNCYKYMA | JUNCTION CITY    |
| KY | 265182 | BELL SOUTH | KKVLKYMA | KIRKSVILLE       |
| KY | 265182 | BELL SOUTH | LBJTKYMA | LEBANON JUNCTION |
| KY | 265182 | BELL SOUTH | LFYTKYMA | LAFAYETTE        |
| KY | 265182 | BELL SOUTH | LGRNKYES | LAGRANGE         |
| KY | 265182 | BELL SOUTH | LOUSKYES | LOUISA           |
| KY | 265182 | BELL SOUTH | LRBGKYMA | LAWRENCEBURG     |

|    |        |            |          |                 |
|----|--------|------------|----------|-----------------|
| KY | 265182 | BELL SOUTH | LSVLKY26 | 26TH STREET     |
| KY | 265182 | BELL SOUTH | LSVLKYAN | ANCHORAGE       |
| KY | 265182 | BELL SOUTH | LSVLKYAP | CHESTNUT STREET |
| KY | 265182 | BELL SOUTH | LSVLKYBE | BEECHMONT       |
| KY | 265182 | BELL SOUTH | LSVLKYBR | BARDSTOWN ROAD  |
| KY | 265182 | BELL SOUTH | LSVLKYCW | CRESTWOOD       |
| KY | 265182 | BELL SOUTH | LSVLKYFC | FERN CREEK      |
| KY | 265182 | BELL SOUTH | LSVLKYHA | HARRODS CREEK   |
| KY | 265182 | BELL SOUTH | LSVLKYJT | JEFFERSONTOWN   |
| KY | 265182 | BELL SOUTH | LSVLKYOA | OKOLONA         |
| KY | 265182 | BELL SOUTH | LSVLKYSH | SHIVELY         |
| KY | 265182 | BELL SOUTH | LSVLKYSL | SIX MILE LANE   |
| KY | 265182 | BELL SOUTH | LSVLKYSM | ST MATTHEWS     |
| KY | 265182 | BELL SOUTH | LSVLKYTS | THIRD STREET    |
| KY | 265182 | BELL SOUTH | LSVLKYVS | VALLEY STATION  |
| KY | 265182 | BELL SOUTH | LSVLKYWE | WESTPORT ROAD   |
| KY | 265182 | BELL SOUTH | LVMRKYMA | LIVERMORE       |
| KY | 265182 | BELL SOUTH | MACEKYMA | MACEO           |
| KY | 265182 | BELL SOUTH | MARNKYMA | MARION          |
| KY | 265182 | BELL SOUTH | MARTKYMA | MARTIN          |
| KY | 265182 | BELL SOUTH | MCDNKYMA | MCDANIELS       |
| KY | 265182 | BELL SOUTH | MCWLKYMA | MCDOWELL        |
| KY | 265182 | BELL SOUTH | MDBOKYMA | MIDDLESBORO     |
| KY | 265182 | BELL SOUTH | MDVIKYMA | MADISONVILLE    |
| KY | 265182 | BELL SOUTH | MGFDKYMA | MORGANFIELD     |
| KY | 265182 | BELL SOUTH | MGTWKYMA | MORGANTOWN      |
| KY | 265182 | BELL SOUTH | MLBGKYMA | MILLERSBURG     |

|    |        |            |          |                         |
|----|--------|------------|----------|-------------------------|
| KY | 265182 | BELL SOUTH | MLTNKYMA | MILTON                  |
| KY | 265182 | BELL SOUTH | MRGPKYMA | MORTONS GAP             |
| KY | 265182 | BELL SOUTH | MRRYKYMA | MURRAY                  |
| KY | 265182 | BELL SOUTH | MTEDKYMA | MT EDEN                 |
| KY | 265182 | BELL SOUTH | MTSTKYMA | MT STERLING             |
| KY | 265182 | BELL SOUTH | MYFDKYMA | MAYFIELD                |
| KY | 265182 | BELL SOUTH | MYVLKYMA | MAYSVILLE               |
| KY | 265182 | BELL SOUTH | NEBOKYMA | NEBO                    |
| KY | 265182 | BELL SOUTH | NEONKYES | NEON                    |
| KY | 265182 | BELL SOUTH | NRVLKYMA | NORTONVILLE             |
| KY | 265182 | BELL SOUTH | NWHNKYMA | NEW HAVEN               |
| KY | 265182 | BELL SOUTH | OKGVKYES | OAK GROVE               |
| KY | 265182 | BELL SOUTH | OWBOKYMA | OWENSBORO               |
| KY | 265182 | BELL SOUTH | OWTNKYMA | OWENTON                 |
| KY | 265182 | BELL SOUTH | PARSKYMA | PARIS                   |
| KY | 265182 | BELL SOUTH | PDCHKYIP | PADUCAH IFORMATION PARK |
| KY | 265182 | BELL SOUTH | PDCHKYLO | PADUCAH LONE OAK        |
| KY | 265182 | BELL SOUTH | PDCHKYMA | PADUCAH KENTUCKY STREET |
| KY | 265182 | BELL SOUTH | PDCHKYRL | PADUCAH REIDLAND        |
| KY | 265182 | BELL SOUTH | PIVLKYMA | PINEVILLE               |
| KY | 265182 | BELL SOUTH | PKVLKYMA | PIKEVILLE               |
| KY | 265182 | BELL SOUTH | PKVLKYMT | PIKEVILLE META          |
| KY | 265182 | BELL SOUTH | PLRGKYMA | PLEASANT RIDGE          |
| KY | 265182 | BELL SOUTH | PMBRKYMA | PEMBROKE                |
| KY | 265182 | BELL SOUTH | PNTHKYMA | PANTHER                 |
| KY | 265182 | BELL SOUTH | PNVLKYMA | PAINTSVILLE             |
| KY | 265182 | BELL SOUTH | PRBGKYES | PRESTONSBURG            |

|    |        |            |          |                  |
|----|--------|------------|----------|------------------|
| KY | 265182 | BELL SOUTH | PRTNKYES | PRINCETON        |
| KY | 265182 | BELL SOUTH | PRVDKYMA | PROVIDENCE       |
| KY | 265182 | BELL SOUTH | PRVLKYMA | PERRYVILLE       |
| KY | 265182 | BELL SOUTH | PTRYKYMA | PORT ROYAL       |
| KY | 265182 | BELL SOUTH | RBRDKYMA | ROBARDS          |
| KY | 265182 | BELL SOUTH | RCMDKYMA | RICHMOND         |
| KY | 265182 | BELL SOUTH | RLVLKYMA | RUSSELLVILLE     |
| KY | 265182 | BELL SOUTH | RSTRKYES | ROSE TERRACE     |
| KY | 265182 | BELL SOUTH | SCRMKYMA | SACRAMENTO       |
| KY | 265182 | BELL SOUTH | SDVLKYMA | SADIEVILLE       |
| KY | 265182 | BELL SOUTH | SEBRKYMA | SEBREE           |
| KY | 265182 | BELL SOUTH | SHGVKYMA | SHARON GROVE     |
| KY | 265182 | BELL SOUTH | SHVLKYMA | SHELBYVILLE      |
| KY | 265182 | BELL SOUTH | SLGHKYMA | SLAUGHTERS       |
| KY | 265182 | BELL SOUTH | SLPHKYMA | SULPHUR          |
| KY | 265182 | BELL SOUTH | SLVSKYMA | SALVISA          |
| KY | 265182 | BELL SOUTH | SNTNKYMA | STANTON          |
| KY | 265182 | BELL SOUTH | SPFDKYMA | SPRINGFIELD      |
| KY | 265182 | BELL SOUTH | SRGHKYMA | SORGHO           |
| KY | 265182 | BELL SOUTH | SSVLKYMA | SIMPSONVILLE     |
| KY | 265182 | BELL SOUTH | STCHKYMA | ST CHARLES       |
| KY | 265182 | BELL SOUTH | STFRKYMA | STANFORD         |
| KY | 265182 | BELL SOUTH | STGRKYMA | STAMPING GROUND  |
| KY | 265182 | BELL SOUTH | STNLKYMA | STANLEY          |
| KY | 265182 | BELL SOUTH | STONKYMA | STONE            |
| KY | 265182 | BELL SOUTH | STRGKYMA | STURGIS          |
| KY | 265182 | BELL SOUTH | SWSNKYMA | SOUTH WILLIAMSON |

|    |        |            |           |                 |
|----|--------|------------|-----------|-----------------|
| KY | 265182 | BELL SOUTH | TRE NKYMA | TRENTON         |
| KY | 265182 | BELL SOUTH | TYVLKYMA  | TAYLORSVILLE    |
| KY | 265182 | BELL SOUTH | UTICKYMA  | UTICA           |
| KY | 265182 | BELL SOUTH | VIRGKYMA  | VIRGIE          |
| KY | 265182 | BELL SOUTH | WACOKYMA  | WACO            |
| KY | 265182 | BELL SOUTH | WDDYKYMA  | WADDY           |
| KY | 265182 | BELL SOUTH | WHBGKYMA  | WHITESBURG      |
| KY | 265182 | BELL SOUTH | WHVLKYMA  | WHITESVILLE     |
| KY | 265182 | BELL SOUTH | WLBGKYMA  | WILLIAMSBURG    |
| KY | 265182 | BELL SOUTH | WLCKKYES  | WALLINS CREEK   |
| KY | 265182 | BELL SOUTH | WLVLKYMA  | WEST LOUISVILLE |
| KY | 265182 | BELL SOUTH | WNCHKYMA  | WINCHESTER      |
| KY | 265182 | BELL SOUTH | WNCHKYPV  | PILOT VIEW      |
| KY | 265182 | BELL SOUTH | WRFDKYMA  | WARFIELD        |
| KY | 265182 | BELL SOUTH | WSBGKYMA  | WILLISBURG      |
| KY | 265182 | BELL SOUTH | WSPNKYMA  | WEST POINT      |
| KY | 265182 | BELL SOUTH | WYLDKYES  | WAYLAND         |

**Exhibit 3    Sample Advertisement**

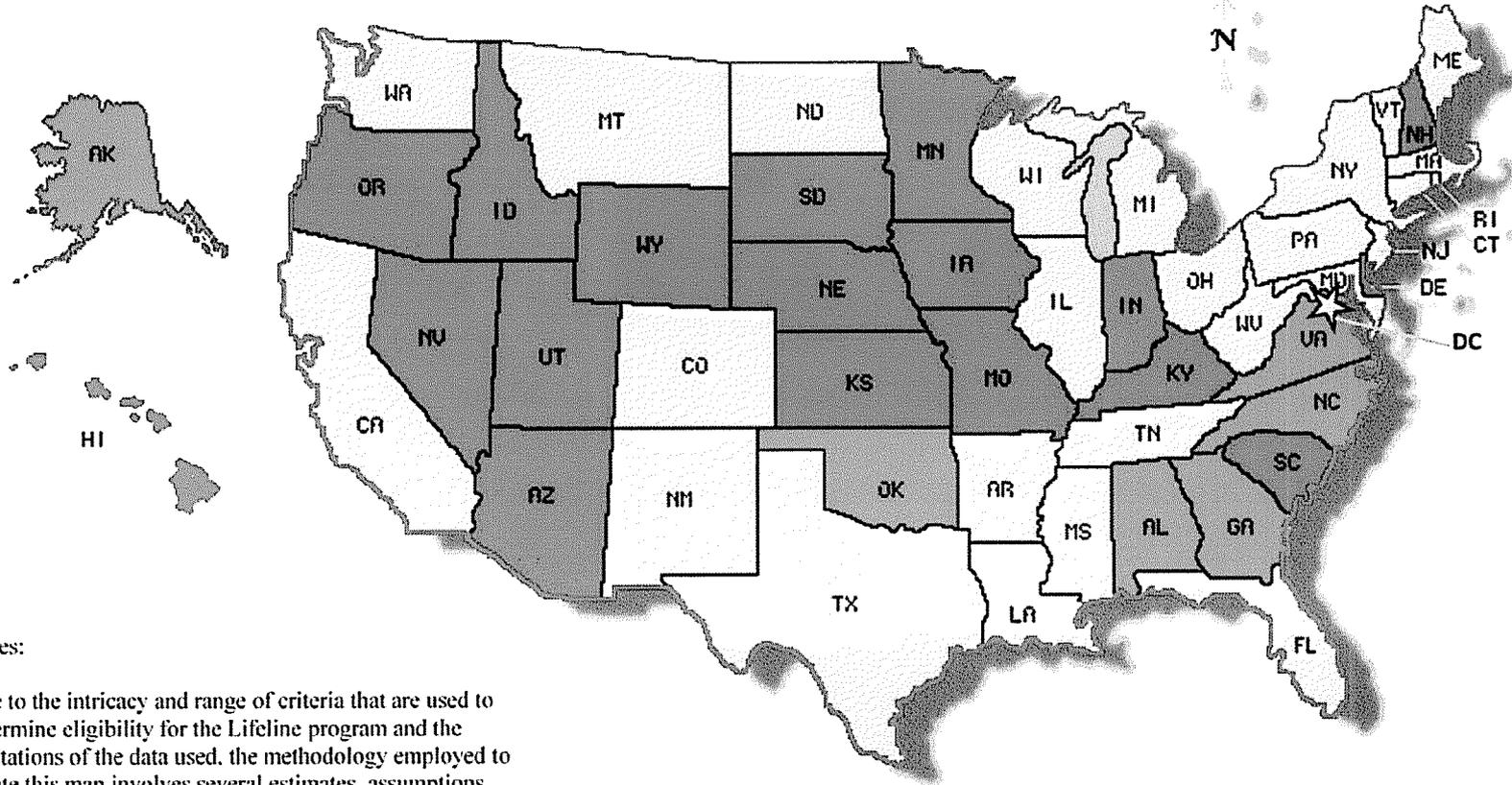
**YMax Communications Corp.**  
**Radio Ad**

"Is home phone service just out of reach? If you currently receive government assistance from programs like Medicaid, Food Stamps, or Low Income Home Energy Assistance, you may qualify for assistance with your home phone service. YMAX is happy to offer qualifying low income households a Lifeline-supported discount on their home phone bills. Everyone needs a little help now and then and at YMAX we're happy to give you a helping hand. Visit us at [ymaxcorp.com/lifeline](http://ymaxcorp.com/lifeline) for additional information on discounted service. *LIFELINE IS A GOVERNMENT BENEFIT PROGRAM. ONLY ELIGIBLE CONSUMERS MAY ENROLL. THE PROGRAM IS LIMITED TO ONE BENEFIT PER HOUSEHOLD.*"

**Exhibit 4      2010 Lifeline Participation Rates by State**

# 2010 Lifeline Participation Rates by State

- - Below 10%
- - 10% - 20%
- - 20% - 50%
- - Above 50%



Notes:  
 Due to the intricacy and range of criteria that are used to determine eligibility for the Lifeline program and the limitations of the data used, the methodology employed to create this map involves several estimates, assumptions, simplifications, and omissions. Therefore, the rates generated on this map should be treated as estimates only.