

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  IOWA NETWORK SERVICES, INC.	DOCKET NO. SPU-03-11
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**ORDER REGARDING SETTLEMENT AGREEMENT**

(Issued August 21, 2003)

On July 7, 2003, Iowa Network Services, Inc. (INS), filed a request for immediate disconnection of OneStar Long Distance, Inc. (OneStar) for nonpayment, pursuant to Iowa Code § 476.20 (2003) and its tariff. INS requested the Utilities Board (Board) issue an expedited order authorizing INS to discontinue access service to OneStar after July 13, 2003.

A revised notice of hearing set the hearing for July 31, 2003. On July 30, 2003, a telephone conference call was held with all parties connected. OneStar and INS stated they had reached an agreement to settle the case and requested that the hearing be cancelled. They stated they would file a written proposal with the Board within approximately one week. The Consumer Advocate Division of the Department of Justice (Consumer Advocate) joined in the request to cancel the hearing.

On July 31, 2003, the undersigned administrative law judge issued an order canceling the hearing, ordering the parties to submit a written settlement agreement for approval, and ordering OneStar to file a current list of its Iowa customers.

On August 5, 2003, INS filed the following exhibits: a negotiated payment arrangement between INS and OneStar, a notice INS would fax to its participating telephone companies should a disconnection take place, and a message INS would provide to OneStar customers attempting to make a call if OneStar were disconnected. INS stated it was submitting the payment arrangement as the settlement agreement. On August 8, 2003, OneStar filed a list of its Iowa customers. In their respective filings, INS and OneStar stated that OneStar submitted a payment to INS on July 31, 2003, covering all past due invoices.

The payment arrangement should be approved as the settlement of this matter between the parties. However, the proposed notification to customers is inadequate and will not be approved as proposed.

INS requested the docket be held open for six months to permit an expedited order for disconnection should the payment arrangement be broken. OneStar requested that the Board consider the matter closed and final. The docket should be held open, but not to permit an expedited order for disconnection. The docket should be held open so INS may seek an expedited hearing or other appropriate relief if the payment arrangement is broken or future payments within the six-month period are not made on a timely basis. At the end of the six-month period, INS and OneStar must file notice with the Board stating whether OneStar is current in its payments.

**IT IS THEREFORE ORDERED:**

1. The payment arrangement submitted as the settlement agreement is hereby approved.
2. The proposed customer notification is not approved.
3. This docket will be held open for a period of six months from the date of issuance of this order to permit INS to seek an expedited hearing if the payment arrangement is broken or future payments within the six-month period are not made on a timely basis. At the end of the six-month period, INS and OneStar must file notice with the Board stating whether OneStar is current in its payments.
4. A copy of this order will be served by regular U.S. mail on OneStar and INS and will be hand delivered to the Consumer Advocate.

**UTILITIES BOARD**

/s/ Amy L. Christensen  
Amy L. Christensen  
Administrative Law Judge

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

Dated at Des Moines, Iowa, this 21<sup>st</sup> day of August, 2003.