

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

<p>IN RE:</p> <p>OFFICE OF CONSUMER ADVOCATE,</p> <p style="text-align:center">Complainant,</p> <p style="text-align:center">vs.</p> <p>eCHURCH NETWORK,</p> <p style="text-align:center">Respondent.</p>	<p style="text-align:center">DOCKET NO. FCU-03-56</p>
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**ORDER APPROVING SETTLEMENT AND
ASSESSING CIVIL PENALTY**

(Issued February 13, 2004)

On December 18, 2003, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed with the Utilities Board (Board) a "Petition for Proceeding to Impose Civil Penalties" for alleged cramming violations committed by eChurch Network (eChurch).

In its petition, Consumer Advocate asserted that eChurch placed unauthorized charges for internet services on the complaining customer's account in violation of Iowa's anti-cramming law, Iowa Code § 476.103 (2003).

On February 10, 2004, the parties to this docket, Consumer Advocate and eChurch, submitted a joint motion for approval of a settlement. The settlement agreement addresses all issues in the docket and includes a monetary penalty

against eChurch in the amount of \$500, which is to be paid within 30 days of the date of this order.

The settlement agreement is reasonable in light of the record, is in conformance with all applicable statutes and rules, is in the public interest, and will be approved. 199 IAC 7.2(11).

IT IS THEREFORE ORDERED:

1. The "Joint Motion for Approval of Settlement Agreement" filed in this docket on February 10, 2004, is granted, and the "Settlement Agreement" is approved.

2. Pursuant to Iowa Code § 476.103 and the "Settlement Agreement" filed February 10, 2004, eChurch Network is assessed a civil penalty in the amount of \$500. Payment is due within 30 days of the date of this order.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Sharon Mayer
Executive Secretary, Assistant to

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 13th day of February, 2004.