

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

The Board has reviewed the record to date and will docket File C-05-4 for formal proceedings, identified as Docket No. FCU-05-4. The Board has also reviewed the settlement agreement and will approve it. The settlement agreement is reasonable in light of the record, conforms with all applicable statutes and rules, and is in the public interest. 199 IAC 7.2(11).

IT IS THEREFORE ORDERED:

1. The "Petition for Proceeding to Consider Civil Penalty" filed by the Consumer Advocate Division of the Department of Justice on February 4, 2005, is granted. File C-05-4 is docketed for formal proceedings identified as Docket No. FCU-05-4.
2. The "Joint Motion for Approval of Settlement Agreement" filed in this docket on March 4, 2005, is approved.
3. Pursuant to Iowa Code § 476.103 and the "Settlement Agreement" filed March 4, 2005, Tralee Telephone Company, L.L.C., is assessed a civil penalty in the amount of \$500. Payment, in the form of a check made payable to the Iowa Utilities Board, should be forwarded to the Executive Secretary of the Iowa Utilities Board at 350 Maple Street, Des Moines, Iowa 50319-0069. Payment is due within 30 days of

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the date of this order. The docket number listed on this order shall be listed on the check or in the accompanying correspondence.

UTILITIES BOARD

/s/ John R. Norris

/s/ Diane Munns

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 14th day of March, 2005.