

DOCKET NOS. FCU-04-64, FCU-05-1 (FCU-04-54, FCU-04-63, FCU-05-3,
FCU-05-8, FCU-05-12, FCU-05-15)
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Billing (Telliss), and One Web Direct Bill (One Web). On February 8, 2005, Consumer Advocate filed with the Board a petition for proceeding to consider civil penalties for alleged cramming violations committed by Telliss and Premier Premium Communications (Premier). Consumer Advocate asserted that One Call, Telliss, One Web, and Premier violated Iowa's law against cramming by billing consumers for international telephone calls without authorization. In previous orders, the Board has docketed these complaints against One Call, Telliss, One Web, and Premier for formal proceedings identified as Docket Nos. FCU-04-64, FCU-05-1, and FCU-05-6. Docket Nos. FCU-04-64 and FCU-05-1 were consolidated with the dockets listed in parentheses in the caption of this order. Docket No. FCU-05-6 was not consolidated.

On March 17, 2005, the Board issued an order in Docket Nos. FCU-04-64, FCU-05-1, FCU-05-3, and FCU-05-6 approving a settlement agreement submitted by Consumer Advocate and Telliss and assessing a civil penalty against Telliss in the amount of \$1,500. The Board notes that Telliss has paid the penalty in a timely manner.

On April 13, 2005, Consumer Advocate, One Web, and Premier submitted a joint motion for approval of a settlement agreement contained in the motion. The settlement agreement addresses all issues involving One Web and Premier contained in the docket and indicates that One Web and Premier have consented to the assessment of a civil penalty, jointly and severally, in the total amount of \$1,250,

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to be paid within 30 days of the date of the order approving the settlement agreement.

On April 25, 2005, Consumer Advocate filed with the Board a report on a settlement conference held on April 22, 2005, indicating that One Call elected not to participate in the conference and that Consumer Advocate, One Web, and Premier have nothing to add to their proposed settlement.

The Board has reviewed the settlement agreement with One Web and Premier 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 "Joint Motion for Approval of Settlement Agreement" filed in Docket Nos. FCU-04-64, FCU-05-1, and FCU-05-6 on April 13, 2005, is approved.

2. Pursuant to Iowa Code § 476.103 and the "Settlement Agreement" filed April 13, 2005, One Web Direct Bill and Premier Premium Communications are assessed a civil penalty, jointly and severally, in the total amount of \$1,250.

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 the date of this

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order. Docket Nos. FCU-04-64, FCU-05-1, and FCU-05-6 shall be listed on the
check or in the accompanying correspondence.

UTILITIES BOARD

/s/ John R. Norris

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 3rd day of May, 2005.