

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

<p>IN RE:</p> <p>OFFICE OF CONSUMER ADVOCATE,</p> <p style="padding-left: 100px;">Complainant,</p> <p style="padding-left: 100px;">vs.</p> <p>MEMBER'S EDGE, L.L.C.,</p> <p style="padding-left: 100px;">Respondent.</p>	<p style="text-align:right">DOCKET NOS. FCU-05-16 FCU-05-22</p>
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**ORDER APPROVING SETTLEMENT AGREEMENT AND
ASSESSING CIVIL PENALTY**

(Issued May 25, 2005)

On March 14 and April 6, 2005, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed with the Utilities Board (Board) petitions for proceedings to consider civil penalties for alleged cramming violations committed by Member's Edge, L.L.C. (Member's Edge).

Consumer Advocate asserts that Member's Edge placed unauthorized charges on the complaining consumers' local telephone bills in violation of Iowa's law against cramming, Iowa Code § 476.103 (2005). The petitions were docketed and identified as Docket Nos. FCU-05-16 and FCU-05-22.

On May 16, 2005, Consumer Advocate and Member's Edge submitted a joint motion for approval of a settlement agreement contained in the motion. The settlement agreement addresses all issues in the dockets and includes a monetary

penalty against Member's Edge in the total amount of \$1,000, which is to be paid within 30 days of the date of this order.

The Board has 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 "Joint Motion for Approval of Settlement Agreement" filed in these dockets on May 16, 2005, is approved.

2. Pursuant to Iowa Code § 476.103 and the "Settlement Agreement" filed May 16, 2005, Member's Edge, L.L.C., is assessed a civil penalty in the amount of \$1,000. 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 order. The docket numbers 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 25th day of May, 2005.