

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

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<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>NATIONWIDE CONNECTIONS, INC.,</p> <p style="text-align:center">Respondent.</p>	<p style="text-align:right">DOCKET NOS. FCU-05-40 FCU-05-42 FCU-05-44</p>
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**ORDER DOCKETING FOR FORMAL PROCEEDINGS,  
APPROVING SETTLEMENT AGREEMENT, AND  
ASSESSING CIVIL PENALTY**

(Issued August 1, 2005)

On June 6, June 27, and June 30, 2005, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed with the Utilities Board (Board) three petitions for proceedings to consider civil penalties for alleged cramming violations committed by Nationwide Connections, Inc. (Nationwide). The petitions arose from informal complaint proceedings identified as C-05-103, C-05-99, and C-05-109. Consumer Advocate asserts that Nationwide placed unauthorized charges for collect calls on the complaining consumers' telephone bills in violation of Iowa's law against cramming, Iowa Code § 476.103 (2005).

On July 11, 2005, the Board issued an order docketing File C-05-103 for formal proceedings identified as Docket No. FCU-05-40. The Board has reviewed

the record to date and will docket Files C-05-99 and C-05-109 for formal proceedings identified as Docket Nos. FCU-05-42 and FCU-05-44.

On July 25, 2005, Consumer Advocate and Nationwide filed a joint motion for approval of a settlement agreement contained in the motion. The settlement agreement addresses the issues in all three dockets and includes a monetary penalty against Nationwide in the total amount of \$750, 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 petitions for proceedings to consider civil penalties filed by the Consumer Advocate Division of the Department of Justice on June 27 and June 30, 2005, are granted. Files C-05-99 and C-05-109 are docketed for formal proceedings identified as Docket Nos. FCU-05-42 and FCU-05-44.
2. The "Joint Motion for Approval of Settlement Agreement" filed in these dockets on July 25, 2005, is approved.
3. Pursuant to Iowa Code § 476.103 and the "Settlement Agreement" filed in these dockets on July 25, 2005, Nationwide Connections, Inc., is assessed a civil penalty in the total amount of \$750. Payment, in the form of a check made payable to the Iowa Utilities Board, should be forwarded to the Executive Secretary of the

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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 1<sup>st</sup> day of August, 2005.