

attached a copy of Valley West Oil's October 25, 2005, phone bill showing a charge of \$14.12 submitted on behalf of CSP.

Board staff identified the matter as C-05-221 and, on November 18, 2005, forwarded the complaint to CSP for response. CSP did not respond to the complaint. On December 2, 2005, Ms. Ridgway notified the Board that Valley West Oil's phone bill dated November 25, 2005, included a charge of \$14.51 submitted on behalf of CSP. Valley West again stated it did not authorize the change in service to CSP and would not pay the charges.

On December 9, 2005, Board staff issued a proposed resolution finding by default that because CSP did not show the change in service was authorized, it was in violation of the Board's rules against slamming. Staff directed CSP to close the account immediately and credit all charges associated with the change in service.

In its December 14, 2005, petition, Consumer Advocate indicates that it supports the proposed resolution but argues it should be expanded to clarify that companies cannot escape civil penalties by ignoring allegations of violation. Consumer Advocate asserts a civil penalty is necessary to deter future violations and because a credit alone will not stop the unlawful practice of slamming. CSP has not responded to Consumer Advocate's petition.

The Board has reviewed the record to date and finds there are reasonable grounds to warrant further investigation of this matter. The Board will grant Consumer Advocate's petition for proceeding to consider a civil penalty but will delay

establishing a procedural schedule to allow CSP an opportunity to respond to Consumer Advocate's petition.

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 December 14, 2005, is granted. File C-05-221 is docketed for formal proceeding, identified as Docket No. FCU-05-75.

2. CSP Telecom, Inc., is directed to file a response to Consumer Advocate's petition within 30 days of the date of this order.

UTILITIES BOARD

/s/ John R. Norris

/s/ Diane Munns

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Curtis W. Stamp

Dated at Des Moines, Iowa, this 19th day of January, 2006.