

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

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<p>IN RE:</p> <p>OFFICE OF CONSUMER ADVOCATE,</p> <p style="padding-left: 40px;">Complainant,</p> <p style="padding-left: 40px;">vs.</p> <p>TELSEVEN, L.L.C.,</p> <p style="padding-left: 40px;">Respondent.</p>	<p style="text-align:center">DOCKET NO. FCU-05-52</p>
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**ORDER APPROVING SETTLEMENT AGREEMENT AND  
ASSESSING CIVIL PENALTY**

(Issued March 14, 2006)

On March 10, 2006, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) and TelSeven, L.L.C. (Company) filed a settlement agreement and joint motion for approval of the settlement agreement with the Utilities Board (Board). No one filed an objection to the settlement agreement.

The settlement agreement relates to four dockets involving the Consumer Advocate and the Company: Docket Nos. FCU-05-52, FCU-06-12, FCU-06-18, and C-06-047. Docket No. FCU-05-52 is the only one of the four that has been assigned to the undersigned administrative law judge. Therefore, this order relates only to Docket No. FCU-05-52. The undersigned believes the Board will rule separately on the settlement agreement with respect to the remaining docket numbers.

The settlement agreement provides, among other things, that the Company will pay a civil monetary penalty of \$500 in Docket No. FCU-05-52 due 30 days after entry of a Board order approving the agreement.

The settlement agreement is reasonable in light of the whole record, is consistent with applicable law, is in the public interest, and should be approved.

199 IAC 7.18.

**IT IS THEREFORE ORDERED:**

1. The joint motion for approval of the settlement agreement is granted with respect to Docket No. FCU-05-52. The settlement agreement filed by the parties on March 10, 2006, is approved with respect to Docket No. FCU-05-52.

2. The hearing scheduled for Tuesday, April 25, 2006, is cancelled.

3. Pursuant to Iowa Code § 476.103 (2005) and the settlement agreement, the Company is assessed a civil penalty in the amount of \$500 in Docket No. FCU-05-52. Payment in the form of a check made payable to the Iowa Utilities Board shall 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 the Board issues its order with regard to the settlement agreement in Docket Nos. FCU-06-12, FCU-06-18, and C-06-047. The docket number listed on this order shall be listed on the check or in the accompanying correspondence.

**UTILITIES BOARD**

/s/ Amy L. Christensen  
Amy L. Christensen  
Administrative Law Judge

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

Dated at Des Moines, Iowa, this 14<sup>th</sup> day of March, 2006.