

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

<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>CSP TELECOM, INC.,</p> <p style="padding-left: 40px;">Respondent.</p>	<p style="text-align:center">DOCKET NO. FCU-06-29</p>
---	---

**ORDER DOCKETING FOR FORMAL PROCEEDING AND
SETTING DEADLINE FOR RESPONSE**

(Issued April 20, 2006)

On March 14, 2006, pursuant to Iowa Code §§ 476.3 and 476.103, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed with the Utilities Board (Board) a petition for a proceeding to consider a civil penalty for an alleged slamming violation committed by CSP Telecom, Inc. (CSP). Based upon the record assembled in the informal complaint proceeding, the events to date can be summarized as follows:

On February 13, 2006, the Board received a complaint from Mr. Troy Wallis of Des Moines, Iowa, alleging his long distance telephone service was changed without authorization.

Board staff identified the matter as C-06-39 and, on February 14, 2006, forwarded the complaint to Qwest Corporation (Qwest), the customer's designated long distance carrier, and to CSP for response. Qwest responded on February 16, 2006, indicating it received an order from CSP on December 22, 2005, to change the customer's long distance service to CSP. Qwest noted that Mr. Wallis disputed authorizing that change. CSP did not respond to the complaint.

On March 6, 2006, Board staff issued a proposed resolution finding by default that CSP 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 March 14, 2006, petition, Consumer Advocate argues the proposed resolution 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 March 14, 2006, is granted. File C-06-39 is docketed for formal proceeding, identified as Docket No. FCU-06-29.

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

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Curtis W. Stamp

Dated at Des Moines, Iowa, this 20th day of April, 2006.