

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>AT&T COMMUNICATIONS OF THE MIDWEST, INC.,</p> <p style="padding-left: 40px;">Respondent.</p>	<p style="text-align:center">DOCKET NO. FCU-06-27</p>
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**ORDER APPROVING SETTLEMENT AGREEMENT AND
ASSESSING CIVIL PENALTY**

(Issued June 7, 2006)

On March 10, 2006, 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 cramming violation committed by AT&T Communications of the Midwest, Inc. (AT&T). Consumer Advocate asserts AT&T placed unauthorized charges on a consumer's local telephone bill in violation of Iowa's law against cramming, Iowa Code § 476.103. The proceeding was identified as Docket No. FCU-06-27.

On June 1, 2006, Consumer Advocate and AT&T submitted a joint motion for approval of the settlement agreement contained in the motion. The settlement agreement addresses all issues in the docket and includes a monetary penalty in the amount of \$500, 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 7.18.

IT IS THEREFORE ORDERED:

1. The "Joint Motion for Approval of Settlement Agreement" filed in this docket on June 1, 2006, is approved.

2. Pursuant to Iowa Code § 476.103 and the "Settlement Agreement" filed June 1, 2006, AT&T Communications of the Midwest, Inc., is assessed a civil penalty in the amount of \$500. 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 number 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/ Curtis W. Stamp

Dated at Des Moines, Iowa, this 7th day of June, 2006.