

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="text-align:center">vs.</p> <p>HORIZON TELECOM,</p> <p style="padding-left: 40px;">Respondent.</p>	<p style="text-align:center">DOCKET NO. FCU-06-33</p>
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**ORDER APPROVING SETTLEMENT AGREEMENT AND  
ASSESSING CIVIL PENALTY**

(Issued June 28, 2006)

On March 30, 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 Horizon Telecom (Horizon). Consumer Advocate asserts Horizon placed unauthorized charges on a consumer's telephone bill in violation of Iowa's law against cramming, Iowa Code § 476.103. The proceeding was identified as Docket No. FCU-06-33.

On June 22, 2006, Consumer Advocate and Horizon 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 22, 2006, is approved.

2. Pursuant to Iowa Code § 476.103 and the "Settlement Agreement" filed June 22, 2006, Horizon Telecom 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

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Curtis W. Stamp

Dated at Des Moines, Iowa, this 28<sup>th</sup> day of June, 2006.