

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

<p>IN RE:</p> <p>OFFICE OF CONSUMER ADVOCATE,</p> <p style="padding-left: 100px;">Complainant,</p> <p style="padding-left: 100px;">vs.</p> <p>GLOBAL YP,</p> <p style="padding-left: 100px;">Respondent.</p>	<p>DOCKET NO. FCU-06-45</p>
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**ORDER DOCKETING FOR FORMAL PROCEEDING
AND SETTING DEADLINE FOR RESPONSE**

(Issued July 20, 2006)

On June 29, 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 cramming violation committed by Global YP. Based upon the record assembled in the informal complaint proceeding, the events to date can be summarized as follows:

On May 16, 2006, the Board received a complaint from Timothy Paterson of Indianola, Iowa, alleging that for five months his local telephone bills included unauthorized charges submitted on behalf of Global YP. In the complaint, Mr.

Paterson stated that Global YP's telemarketer told him his local telephone bill would not be charged if he agreed to Global YP's Internet listing.

Board staff identified the matter as C-06-125 and, on May 18, 2006, forwarded the complaint to Global YP for response. Global YP did not respond to the complaint. On June 16, 2006, Board staff issued a proposed resolution finding Global YP in violation of the Board's rules because it failed to respond to the complaint. Staff directed Global YP to fully credit and close the account.

In its June 29, 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 cramming. Global YP 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 Global YP 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 June 29, 2006, is

granted. File C-06-125 is docketed for formal proceeding, identified as Docket No. FCU-06-45.

2. Global YP 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

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