

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>MAIN STREET TELEPHONE,</p> <p style="padding-left: 100px;">Respondent.</p>	<p style="text-align:center">DOCKET NO. FCU-06-47</p>
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**ORDER APPROVING SETTLEMENT AGREEMENT AND  
ASSESSING CIVIL PENALTY**

(Issued October 4, 2006)

On July 21, 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 Main Street Telephone (Main Street). Consumer Advocate asserts Main Street 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-06-47.

On September 26, 2006, Consumer Advocate and Main Street 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 September 26, 2006, is approved.

2. Pursuant to Iowa Code § 476.103 and the "Settlement Agreement" filed September 26, 2006, Main Street Telephone 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 4<sup>th</sup> day of October, 2006.