



DOCKET NOS. FCU-04-54, FCU-04-63, FCU-04-64, FCU-05-1, FCU-05-3,  
FCU-05-8, FCU-05-12, FCU-05-15, FCU-05-24, FCU-05-25, FCU-05-43, FCU-05-45,  
FCU-05-74, FCU-06-13

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Provide Appropriate Contact Person and Request for Expedited Relief" with the Board. The Consumer Advocate moved "for an order requiring One Call within three days to advise OCA of an appropriate contact person for purposes of further processing of the cases or, in the alternative, to advise OCA and the ALJ how One Call intends to proceed with these cases."

On May 12, 2006, the undersigned administrative law judge issued an "Order Shortening Time for Response" that required One Call to file a response to the Consumer Advocate's motion by May 19, 2006.

On May 19, 2006, One Call filed a statement enclosing an order issued May 12, 2006, by U.S. District Court Judge Tinder in the U.S. District Court for the Southern District of Indiana, Indianapolis Division (Federal Order), in Civil Action No.: 1:06-cv-0755-JDT-TAB. In the Federal Order, Judge Tinder found that One Call was in default on a debt, was operating at a loss and unable to meet its current obligations, and had dismissed its employees. The Federal Order appointed a receiver for One Call "to preserve its assets and to liquidate the same in an orderly manner." Among other things, paragraph 28 of the Federal Order enjoins the commencement, prosecution, continuation, or enforcement of any suit or proceeding against One Call. One Call filed its statement with respect to all the dockets listed above and Docket No. FCU-06-41.

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On May 26, 2006, the Consumer Advocate filed a "Statement of Position in Response to Indiana Receivership Order." In the statement, the Consumer Advocate argued that these proceedings could go forward pursuant to Iowa's police and regulatory powers. However, the Consumer Advocate stated, it is evident One Call has ceased operations and the purpose of the receivership is to liquidate One Call's assets. The Consumer Advocate further stated it appears the purpose of the civil monetary penalties authorized by Iowa Code § 476.103 (2005), to deter recurrent violations, has been fulfilled. The Consumer Advocate stated its limited resources are more effectively devoted to other cases and it would comply with paragraph 28 of the Federal Order. Finally, the Consumer Advocate stated, if and when One Call's assets are liquidated, it intends to withdraw the petitions in these dockets. The Consumer Advocate's statement also related to Docket No. FCU-06-41 in addition to the dockets listed above.

The Board has not assigned Docket No. FCU-06-41 to the undersigned, so this order makes no ruling with respect to Docket No. FCU-06-41.

On June 1, 2006, the undersigned issued an order suspending the procedural schedules, canceling two hearings, ordering One Call to file a status report regarding these dockets informing the Board and the Consumer Advocate of the status of Civil Action No.: 1.06-cv-0755-JDT-TAB on December 1, 2006, and ordering the Consumer Advocate to file a response to One Call's status report on December 15,

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2006, stating whether it intended to withdraw its petitions in these dockets at that time.

As of the date of this order, One Call has not filed the status report due December 1, 2006.

**IT IS THEREFORE ORDERED:**

1. One Call must file the required status report immediately and in no case later than Monday, December 18, 2006.

2. Within 15 days of the date One Call files its status report, the Consumer Advocate must file a response to One Call's report stating whether it intends to withdraw its petitions in these dockets at this time.

**UTILITIES BOARD**

/s/ Amy L. Christensen  
Amy L. Christensen  
Administrative Law Judge

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

Dated at Des Moines, Iowa, this 12<sup>th</sup> day of December, 2006.