

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>ZIP WIDE WEB, d/b/a/ ZWW-ISP,</p> <p style="padding-left: 40px;">Respondent.</p>	<p style="text-align:center">DOCKET NO. C-07-208</p>
--	--

ORDER APPROVING SETTLEMENT AND ASSESSING CIVIL PENALTY

(Issued October 24, 2007)

On August 10, 2007, 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 Zip Wide Web, d/b/a ZWW-ISP (Zip Wide). Consumer Advocate asserts Zip Wide billed charges to a consumer's account without authorization, in violation of Iowa's law against cramming. Iowa Code § 476.103. The proceeding was identified as C-07-208.

On September 24, 2007, Consumer Advocate and Zip Wide filed a "Settlement Agreement and Joint Motion for Approval of Settlement Agreement." 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. In light of this order, the petition for formal proceeding is moot and will not be ruled upon.

IT IS THEREFORE ORDERED:

1. The "Settlement Agreement and Joint Motion for Approval of Settlement Agreement" filed by Consumer Advocate and Zip Wide on September 24, 2007, is approved.

2. Pursuant to Iowa Code § 476.103 and the settlement agreement filed September 24, 2007, Zip Wide Web, d/b/a ZWW-ISP, is assessed a civil penalty in the amount of \$500. Payment in the form of a check made payable to the Iowa Utilities Board shall 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/ Krista K. Tanner

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

Dated at Des Moines, Iowa, this 24th day of October, 2007.