

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, INC.,</p> <p style="padding-left: 40px;">Respondent.</p>	<p style="text-align:right">DOCKET NOS. FCU-07-21 FCU-07-22</p>
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ORDER CONSOLIDATING DOCKETS, APPROVING SETTLEMENT AGREEMENT, CANCELLING HEARINGS, AND ASSESSING CIVIL PENALTY

(Issued January 7, 2008)

On January 2, 2008, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) and Horizon Telecom, Inc. (Company), filed a settlement agreement and joint motion for approval of the settlement agreement in the above docket numbers with the Utilities Board (Board).

This case was originally docketed as two separate cases. In the "Procedural Order and Notice of Hearing" issued in each docket on December 21, 2007, the undersigned proposed to consolidate the two cases unless the parties objected. The parties have submitted one settlement agreement with one civil penalty for both cases. Therefore, the cases should be consolidated for the purpose of ruling on the proposed settlement agreement.

No one filed an objection to the settlement agreement. The settlement agreement provides, among other things, that the Company will pay a civil monetary penalty of \$1000 due 30 days after entry of a Board order approving the agreement.

The settlement agreement is reasonable in light of the whole record, is consistent with applicable law, is in the public interest, and should be approved.

199 IAC 7.18.

IT IS THEREFORE ORDERED:

1. In re: Office of Consumer Advocate vs. Horizon Telecom, Inc., Docket No. FCU-07-21, and In re: Office of Consumer Advocate vs. Horizon Telecom, Inc., Docket No. FCU-07-22, are hereby consolidated.

2. The joint motion for approval of the settlement agreement is granted and the settlement agreement filed by the parties on January 2, 2008, is approved.

3. The hearing scheduled for Tuesday, March 4, 2008, at 9:00 a.m. in Docket No. FCU-07-21 is cancelled.

4. The hearing scheduled for Tuesday, March 4, 2008, at 1:00 p.m. in Docket No. FCU-07-22 is cancelled.

5. Pursuant to Iowa Code § 476.103 (2007) and the settlement agreement, the Company is assessed a civil penalty in the amount of \$1000. 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

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order. The docket numbers listed on this order shall be listed on the check or in the accompanying correspondence.

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 7th day of January, 2008.