

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE: ENCARTELE, INC.	DOCKET NO. TF-2019-0270
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**ORDER GRANTING MOTION FOR CONFIDENTIAL TREATMENT AND APPROVING  
REVISED TARIFF SHEETS**

On May 5, 2021, the Utilities Board (Board) issued an order that required Encartele, Inc. (Encartele), to file additional information regarding Encartele's chargeback fees, any third party Encartele utilizes to process payment card transactions, and the facilities where Encartele provides inmate calling service (ICS). The Board required this information to be filed in order to determine whether Encartele's third-party transaction fee charged to deposit funds in ICS accounts is consistent with its tariff and whether it is just and reasonable.

On May 18, 2021, Encartele filed the additional information and a request for confidential treatment. In the same filing, Encartele provided a revised tariff check sheet that indicates which page in the tariff was revised and a revised tariff sheet containing the complete list of facilities where Encartele provides ICS in Iowa.

No objections to Encartele's motion for confidential treatment have been filed.

Encartele requests confidential treatment for portions of its filing containing financial data supporting the calculation of its third-party transaction fee, and for portions containing the name of a vendor used by Encartele (Confidential Material).

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The Confidential Material for which confidential treatment is sought was filed separately and designated as confidential as required by 199 Iowa Administrative Code (IAC) 1.9(6)(a). Encartele supported its request for confidential treatment with the affidavit of Scott Moreland, President of Encartele, as required by 199 IAC 1.9(6)(b).

Encartele asserts that the Confidential Material is confidential under Iowa Code § 22.7(3) as a trade secret or under § 22.7(6) as a report to a governmental agency, which, if released, would give advantage to competitors and serve no public purpose. Encartele states disclosure of the Confidential Material gives advantage to competitors and serves no public purpose.

Based on the information provided by Encartele and the supporting affidavit, the Board finds that the Confidential Material qualifies as a report to a governmental agency, the release of which would give advantage to Encartele's competitors and serve no public purpose. The Board will grant the application and will hold the Confidential Material confidential under Iowa Code § 22.7(6). Because the Board finds the Confidential Material should be held confidential under Iowa Code § 22.7(6), the Board will not address the claims that the Confidential Material should be held confidential under Iowa Code § 22.7(3).

The Board finds that the Confidential Material demonstrates that Encartele's third-party transaction fee is just and reasonable. The Board finds that Encartele does not include chargebacks in its third-party transaction fee and that the third-party transaction fee of approximately 4% is just and reasonable. The Board will not require Encartele to file additional information or further explanation in support of the third-party transaction fee. The Board has reviewed the revised tariff sheets and finds that the

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revised tariff sheets substantially comply with the revisions required by the Board. The Board will approve Encartele's revised tariff sheets.

**IT IS THEREFORE ORDERED:**

1. The motion for confidential treatment filed in this docket by Encartele, Inc., on May 18, 2021, is granted.
2. The confidential material for which the Utilities Board has granted confidential treatment shall be withheld from public inspection subject to the provisions of 199 Iowa Administrative Code 1.9(8)(b)(3).
3. The revised tariff sheets filed by Encartele, Inc., in Docket No. TF-2019-0270 on May 18, 2021, are approved subject to complaint and investigation and will become effective on the date of this order.

**UTILITIES BOARD**

**Geri Huser** Date: 2021.06.16  
06:56:13 -05'00'

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**Richard Lozier** Date: 2021.06.15  
13:42:05 -05'00'

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ATTEST:

**Anna Hyatt** Date: 2021.06.16  
16:24:14 -05'00'

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**Joshua J Byrnes** Date: 2021.06.15  
11:05:22 -05'00'

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Dated at Des Moines, Iowa, this 16th day of June, 2021.