

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE:

ENCARTELE, INC.

DOCKET NO. TF-2019-0270

ORDER REGARDING REQUEST FOR CLARIFICATION

On May 5, 2021, the Utilities Board (Board) issued an order requiring Encartele, Inc. (Encartele), to file additional information regarding chargeback fees. Encartele was ordered to file a complete explanation and description of the chargeback fee, an explanation of how the fee is consistent with Federal Communications Commission (FCC) regulations and the tariff approved by the Board, and information about the third-party entity Encartele utilizes to process payment card transactions.

On May 18, 2021, Encartele filed a motion for confidential treatment, an affidavit in support of the motion, a public response to the Board's order, and a confidential response to the Board's order. Encartele's responses to the Board's order were identical and included Exhibits A and B. Exhibit A contained information regarding payment card processing fees, and Exhibit B contained revised proposed tariff sheets. Encartele's response to the Board's order also included a statement that it does not assess a chargeback fee on Iowa customers, and the only fees associated with payment card transactions are set forth in Exhibit A. Encartele's motion for confidential treatment included the information provided in Exhibit A.

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On June 16, 2021, the Board issued an “Order Granting Motion for Confidential Treatment and Approving Revised Tariff Sheets.” In that order, the Board granted Encartele’s motion for confidential treatment and approved Encartele’s revised tariff sheets. The Board also made findings related to Encartele’s third-party transaction fee.

On July 6, 2021, Prison Policy Initiative, Inc. (PPI), filed a request for clarification. Within this request, PPI stated that the record in this proceeding establishes that the fee in question is equal to 5 percent of the principal transaction amount. PPI stated that no contrary evidence appears in the record and the Board’s order does not address the evidence previously submitted by PPI.

In the June 16, 2021 order, the Board made findings for the record after considering evidence presented in all filings in this docket. The Board found that Encartele’s third-party transaction fee is approximately 4 percent, Encartele’s third-party transaction fee of approximately 4 percent is just and reasonable, and Encartele does not include chargebacks in its third-party transaction fee.

As stated in the order published on July 30, 2021, in this docket, the Board will wait to revisit inmate calling rates, including rates paid for ancillary fees, until after the FCC completes its review of all inmate calling rates. The Board will then determine if a proceeding should be opened to address any differences between interstate rates and intrastate rates.

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IT IS THEREFORE ORDERED:

Prison Policy Initiative, Inc.'s, request for clarification is denied.

UTILITIES BOARD

Geri Huser Date: 2021.08.09
15:11:44 -05'00'

Richard Lozier Date: 2021.08.09
14:23:10 -05'00'

ATTEST:

Louis Vander Streek Louis Vander Streek
2021.08.09 15:35:44
-05'00'

Joshua J Byrnes Date: 2021.08.09
10:14:23 -05'00'

Dated at Des Moines, Iowa, this 9th day of August, 2021.