



**IDAHO**  
DEPARTMENT OF FINANCE

**DIRK KEMPTHORNE**  
Governor

**GAVIN M. GEE**  
Director

September 2, 2005

RE:

Dear M

This letter is to confirm our phone conversation of August 18, 2005 regarding your inquiry on behalf of

Based on the information provided in your June 24, 2005 letter, the Department is of the view that it would be appropriate for \_\_\_\_\_ to license as a money transmitter in Idaho in order to utilize the described business model in or from Idaho. Such an approach could serve to preclude each retail location from being licensed as a money transmitter if they were to be retained as an authorized agent of a licensed money transmitter.

Should you have any questions or need to discuss this matter in more detail, please feel free to contact me directly.

Sincerely,

James A. Burns  
Investigations Chief

SECURITIES BUREAU  
Bureau Chief – Marilyn T. Chastain  
700 West State Street, 2nd Floor, Boise, ID 83702  
Mail To: P.O. Box 83720, Boise ID 83720-0031  
Phone: (208) 332-8004 Fax: (208) 332-8099  
<http://finance.idaho.gov>

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JUN 27 2005

DEPT. OF FINANCE  
STATE OF IDAHO

June 24, 2005

Attn: Jim Burns, Investigations Chief  
Idaho Department of Finance, Securities Bureau  
PO Box 83720  
Boise, ID 83720-0031

Re:  
Opinion and guidance

Dear Mr. Burns:

I represent \_\_\_\_\_, a Michigan corporation that is authorized to do business in Tennessee under the name \_\_\_\_\_ (hereinafter \_\_\_\_\_). \_\_\_\_\_ has developed software that will permit independent retailers with the ability to provide utility bill payment services. \_\_\_\_\_ wants to offer its utility payment system to independent retail merchants in your state (each referred to as "Retailers"). The utility payment system allows Retailers to offer walk-in utility payment services to customers. **I request an opinion from your office as to whether your state will require \_\_\_\_\_ to have a Money Transmitters license.**

Retailers will accept funds from consumers along with a fee from the retail customer. The fees for the services will be set by the Retailer without any instruction from \_\_\_\_\_

The Retailer will deposit the funds, including the fees, into its own bank account. The Retailer will then direct \_\_\_\_\_ to pay the utility company through the \_\_\_\_\_ system. The Retailer will "ACH" the utility payment amount and fee from the Retailer's account to \_\_\_\_\_ bank account in Michigan. \_\_\_\_\_ will "ACH" the remaining funds to the utility company to pay the entire amount of the utility bill, as promised.

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Thank you for your assistance in this matter. Please contact me at should you have any questions or to respond to this letter.

Very truly yours,

cc: