

**BEFORE THE  
MISSOURI PUBLIC SERVICE COMMISSION**

In the Matter of the Application of	)	
MCC Telephony of Missouri, Inc.	)	Case No. TE-2006-0415
For a Waiver of Compliance with	)	
The Requirement of 4 CSR 240-240-32	)	

**MITG Statement of Position**

Intervenors the Missouri Independent Telephone Company Group (MITG) sets  
for the following statement of Position with respect to the List of Issues:

**Issue:** Is there good cause for the Commission to grant MCC's request for a waiver of 4 CSR 240-32.080(5) (A)?

**MITG Position:** No. When it requested certification, MCC told the Commission it would comply with this rule. MCC failed to assure compliance could be maintained in its agreement with Sprint. The Commission should not consider a waiver until Sprint and MCC have an opportunity to reconsider and renegotiate this aspect of the agreement.

**Issue:** Should the Commission conduct a rulemaking to revise the Commission's quality of service rules?

**MITG Position:** Yes. The Commission should open a docket to consider parity of regulation between competing ILECs, CLECs, CMRS providers, and VOIP providers. The Commission should ask the industry for comment as to which rules need to be reviewed, and receive comments prior to initiating any rulemaking. This would be preferable to considering requests for waiver of specific rules on a case by case basis, such as this case.

          /s/ Craig S. Johnson            
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this pleading was electronically mailed to the following attorneys of record in this proceeding this 18th day of January, 2007, to all counsel of record in this proceeding.

/s/ Craig S. Johnson  
Craig S. Johnson