



CITY OF LEE'S SUMMIT

ADMINISTRATION DEPARTMENT

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FILED³
AUG 22 2003
Missouri Public
Service Commission

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August 20, 2003

Honorable Dale Hardy Roberts
Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

RE: Metropolitan Calling Area ("MCA")/ Case No. TO-2001-391

Dear Judge Roberts:

This letter is sent as a follow-up to my previous letter dated May 9, 2002. In addition, we are sending this letter to all attorneys of record. Since March, 2002, the City of Lee's Summit has requested that the Missouri Public Service Commission ("PSC") hold public meetings to give customers an opportunity to address their concerns regarding the current Kansas City MCA structure. The City of Lee's Summit would like to renew its support for holding public hearings on this issue.

The City of Lee's Summit has numerous citizens who are interested in the investigation into issues surrounding the MCA service in the Kansas City metropolitan area. On behalf of the City of Lee's Summit, Missouri, we would like to resubmit a resolution passed unanimously by our City Council. We are expressing our support for public hearings as recommended in the Task Force report submitted to the Missouri Public Service Commission in January 2002.

A significant area within Lee's Summit, in the southern area of the City, falls within the Greenwood exchange. The Greenwood exchange is part of MCA 3. This is problematic because MCA 2 surrounds Greenwood on three sides. Therefore, in some cases our own citizens are either paying long distance charges or they have to purchase a calling plan from Southwestern Bell costing approximately \$12 per month in order to call areas within the City but outside the Greenwood exchange.

Please make this letter, along with the enclosures, indicating our support for public hearings in this matter, part of the public file of this case. We look forward to the opportunity to participate in hearings within our community. Our staff would be glad to assist the Commission in identifying a location.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Arbo', with a stylized, cursive script.

Steve Arbo
Acting City Administrator

cc: Mayor and City Council
Shelley Temple-Kneuvean, Assistant City Administrator
Robert Handley, City Attorney
Richard W. Wood, Assistant City Attorney

Michael Dandino
Office of Public Counsel
P.O. Box 7800
Jefferson City, Missouri 65102

Missouri Public Service Commission
General Counsel Staff
P.O. Box 360
Jefferson City, Missouri 65102

RESOLUTION NO. 02-04

A RESOLUTION DECLARING THE SUPPORT OF THE CITY OF LEE'S SUMMIT FOR A REVISION OF THE CURRENT KANSAS CITY METROPOLITAN CALLING AREA, AS DESIGNATED BY THE MISSOURI PUBLIC SERVICE COMMISSION, TO INCLUDE IN THE MANDATORY CALLING AREA RESIDENTS OF THE CITY WHO RESIDE IN THE GREENWOOD TELEPHONE EXCHANGE.

WHEREAS, the City of Lee's Summit, Missouri (hereinafter "City") is a community of approximately 74,000 residents located within the Kansas City Metropolitan Area, which is divided into multiple telephone exchanges; and

WHEREAS, it is in the best interests of the City that all of its residents possess the ability to call within the limits of the City without incurring additional charges; and

WHEREAS, pursuant to § 392.200.7 RSMo, the Missouri Public Service Commission (hereinafter "PSC") possesses the power to provide the limits within which telecommunication messages shall be delivered without extra charge; and

WHEREAS, those telephone exchanges are currently grouped into a Metropolitan Calling Area (hereinafter "MCA"), which is further divided by the PSC into five tiers; and

WHEREAS, the closest three tiers as they radiate from the urban core of Kansas City are known as the Principal Zone, MCA-1 and MCA-2, which constitute a mandatory MCA calling area, and the furthest three tiers from the urban core of Kansas City are known as MCA-3, MCA-4 and MCA-5, which constitute an optional MCA calling area; and

WHEREAS, callers within the mandatory calling area may place calls to others within the Principal Zone, MCA-1, MCA-2, to others in the optional calling area who subscribe to MCA service at no additional charge, however, callers within the optional calling area may call only those within their own local exchange, unless they have subscribed to the MCA plan for an additional fee; and

WHEREAS, a significant number of residents of southern Lee's Summit reside within the MCA-3 area, designated as the Greenwood telephone exchange, and, as a result, must subscribe to MCA service by paying an additional fee or must incur long distance charges to call residents of Lee's Summit not within MCA-3, and to contact providers of goods and services within the community in which they reside, including those services provided by the City of Lee's Summit and its elected and appointed officials; and

WHEREAS, the Greenwood telephone exchange, which falls entirely within MCA-3, projects into the adjacent MCA-2 calling area such that it is nearly surrounded by the MCA-2 calling area (see Exhibits A1-A4, attached); and

WHEREAS, residents of the City residing within the MCA-3 Greenwood telephone exchange have requested the City's assistance in obtaining information regarding the procedure to change the boundaries of the Metropolitan Calling Areas; and

WHEREAS, on January 18, 2001, Dale Hardy Roberts, Secretary/Chief Regulatory Law Judge of the PSC established case number TO-2001-391 and issued an order directing the staff

of the PSC to establish a task force made up of PSC staff, telephone companies and the Office of Public Counsel, to investigate, among other things, the effects of an expanded MCA on pricing; and

WHEREAS, on January 24, 2002, said task force filed its final report; and

WHEREAS, pursuant to the recommendations of the task force the City anticipates that the PSC plans to hold public hearings in this region regarding MCA expansion plans.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

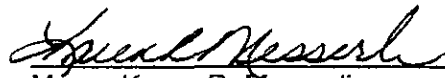
SECTION 1. The City Council hereby declares its opposition to the task force's conclusion that there is no reason to make MCA-3 mandatory in the Kansas City Metropolitan Calling Area.

SECTION 2. The City Council hereby declares its support for the PSC Staff recommendation that the PSC schedule public hearings to gauge demand for an expanded MCA-2 area. The City Council believes that it will be in the best interest of the PSC to hold at least one of the public hearings on this matter in the City of Lee's Summit.

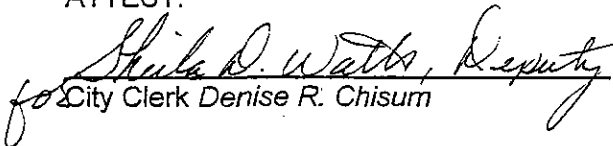
SECTION 3. The City Council further declares its opposition to the PSC Staff recommendation that the PSC implement the MCA-2 proposal. While this plan offers a compromised position, because the MCA-2 proposal would not change the geographic area under the current MCAs, those City residents residing within the Greenwood exchange would continue to be required to subscribe to the MCA plan to make outbound calls under this plan.

SECTION 4. The City Council declares its support for the Office of Public Counsel recommendation that the PSC consider the expansion of the MCA beyond its current boundaries on a case-by-case basis, including those areas included in the City of Lee's Summit, Missouri.

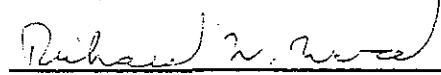
PASSED and ADOPTED by the City Council for the City of Lee's Summit, Missouri, this 7th day of March, 2002.


Mayor Karen R. Messerli

ATTEST:


for City Clerk Denise R. Chisum

APPROVED AS TO FORM:


Assistant City Attorney Richard W. Wood

STATE OF MISSOURI

PUBLIC SERVICE COMMISSION

In the Matter of A Further Investigation of the)
Metropolitan Calling Area Service After the)
Passage and Implementation of the Telecommunications) **Case No. TO-2001-391**
Act of 1996)

CERTIFICATE OF SERVICE

I hereby certify that, on this 20th day of August, 2003, true and correct copies of the attached letter and resolution were mailed, postage paid, to the attorneys of record listed below:

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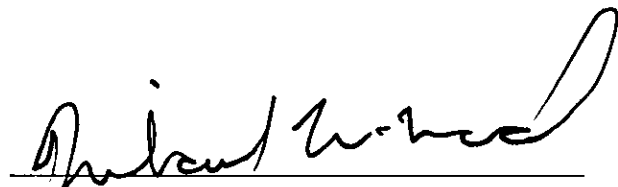
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