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February 17, 2000

FILED²

FEB 16 2000

Missouri Public
Service Commission

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

**Re: DIECA Communications, Inc. d/b/a Covad Communications Company,
Case No. TO-2000-322**

Dear Mr. Roberts:

Enclosed for filing in the above-referenced case, please find the original and 14 copies of the **Office of the Public Counsel's Comments in Support of Participation without Intervention of Missouri Department of Economic Development**. I have on this date mailed, faxed, and/or hand-delivered the appropriate number of copies to all counsel of record. Please "file" stamp the extra-enclosed copy and return it to this office.

Thank you for your attention to this matter.

Very truly yours,

Michael F. Dandino
Senior Public Counsel

MFD:kh

cc: Counsel of Record

Enclosure

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

FILED²

FEB 16 2000

Missouri Public
Service Commission

In the matter of the petition of Dieca)
Communications, Inc. d/b/a Covad)
Communications Company for arbitration)
of interconnection rates, terms, conditions)
and related arrangements with)
Southwestern Bell Telephone Company.)

Case No. TO-2000-322

**OFFICE OF THE PUBLIC COUNSEL'S
COMMENTS IN SUPPORT OF APPLICATION FOR
PARTICIPATION WITHOUT INTERVENTION
OF MISSOURI DEPARTMENT OF
ECONOMIC DEVELOPMENT**

COMES NOW the Office of the Public Counsel (Public Counsel) and advises the Public Service Commission (PSC) that Public Counsel supports the granting of participation without intervention in this case by the Missouri Department of Economic Development.

Public Counsel supports the inclusion of and input into the PSC process from any interested parties, the public, and the representatives of the public in Missouri, state and local government. Public Counsel believes that inclusion rather than exclusion should be the rule, especially when there is no detriment, unfairness or undue hardship placed on any party.

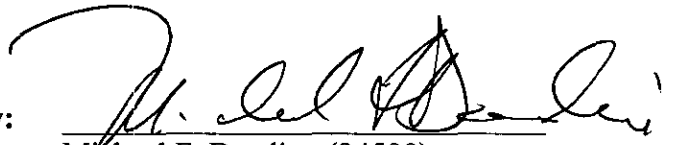
The Department as a state agency concerned about economic development and an inviting technological environment for business and industry in the state can present concerns about the outcome of this case on economic development which is a different concern and viewpoint from the parties. The Department's comments can provide a

broader context of the pending decision. The Department's request for participation is limited to filing a brief in the case after the hearing in accordance with the briefing schedule. This request is reasonable and will not burden or prejudice any party or unduly burden the proceedings. For these reasons, participation under 4 CSR 240-2.075(5) should be granted.

Respectfully submitted,

Office of the Public Counsel

By:



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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed, faxed or hand-delivered, this 16th day of February, 2000 to the following parties of record:

William K. Haas
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