

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

In the Matter of a Request for the)
Modification of the Kansas City)
Metropolitan Calling Area Plan to Make)
the Greenwood Exchange Part of the)
Mandatory MCA Tier 2.)

Case No. TO-2005-0144

**RESPONSE TO COMMISSION'S
ORDER DENYING MOTION TO SUSPEND PROCEDURAL SCHEDULE
FILING AND GRANTING REQUEST FOR A PUBLIC HEARING**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and submits the following response. Staff does not request that the Commission reconsider its order, and merely makes this statement to maintain an accurate record of its position.

1. On September 27, 2005, the Commission issued an *Order Denying Motion to Suspend Procedural Schedule Filing and Granting Request for a Public Hearing*.

2. In that Order, the Commission stated that “Staff argued that this case should be delayed because a Commission decision determining that the Greenwood exchange is competitive could affect the ability of the Commission to order expanded calling scopes.”

3. This statement does not precisely reflect Staff's position. As stated in Staff's pleading,

5. If the Commission grants this [competitive] classification to the Greenwood exchange, as a part of this classification, the Commission may no longer be able to set the rates charged for calls.

4. Staff was not suggesting that competitive classification would affect the ability to actually order expanded calling scopes. As stated elsewhere by a Staff witness, “[i]f the Commission grants competitive status to an exchange and the Commission entertains a request to

establish a new calling scope plan or change an existing calling scope plan, then competitive status may make it more difficult for the Commission to require a company to provide any service at a specified rate in the exchange.”¹

WHEREFORE, the Staff submits this response to the Commission’s September 27, 2005 *Order*.

Respectfully submitted,

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/s/ David A. Meyer

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 28th day of September 2005.

/s/ David A. Meyer

¹ Direct Testimony filed by John Van Eschen, Case No. TO-2006-0093 (SBC Petition for Competitive Classification), page 25, lines 9-13.