

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

In the Matter of the Application of Missouri RSA)	
No. 7 Limited Partnership, d/b/a Mid-Missouri)	
Cellular, for Designation as a Telecommunications)	<u>Case No. TO-2003-0531</u>
Company Carrier Eligible for Federal Universal)	
Service Support Pursuant to Section 254 of the)	
Telecommunications Act of 1996.)	

Concurring Opinion of Chairman Steve Gaw

In its Order Denying Rehearing and Granting Reconsideration, the Commission denies Mid-Missouri Cellular's request for rehearing as well as its request to "re-open the record and accept such additional written evidence." As the Commission's Order notes, the Commission has previously allowed Mid-Missouri Cellular to supplement the record and has even permitted the amendment of the application by the briefs. I agree with the Commission that the supplementation of evidence must cease. In the event that Mid-Missouri Cellular wishes to provide additional evidence to support its application, it should file a new application.

I continue to agree with the Commission's initial conclusion that Mid-Missouri Cellular failed to prove its case by failing to provide sufficient evidence. This should not be interpreted as a decision that a Missouri cellular provider could not receive ETC status. In the event that Mid-Missouri Cellular does decide to submit a new application, I would be interested in seeing comparative information regarding: (1) the cost of providing landline rural service versus the cost of providing wireless service to these same customers and (2) the need for USF support relative to the cost of providing service. Furthermore, I would seek some discussion regarding the relevance of this cost information to the Commission's decision.

Respectfully submitted,



Steve Gaw
Commissioner

Dated at Jefferson City, Missouri,
on this 1st day of December, 2004.