

BEFORE THE PUBLIC SERVICE COMMISSION **FILED⁴**
OF THE STATE OF MISSOURI
JAN 11 2006

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.)

Missouri Public
Service Commission
Case No. TO-2005-0144

CONCURRING OPINION OF COMMISSIONER CONNIE MURRAY

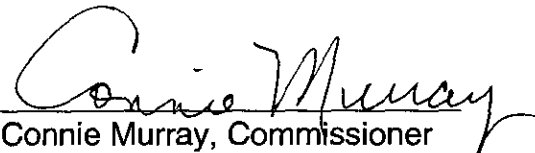
Following much work and compromise, and after listening to the concerns of the residents of Greenwood, the parties have reached an agreement whereby the citizens of Greenwood will receive an expanded calling scope with the added benefit of retaining their current telephone numbers. Like all good compromises, the agreement gives each party slightly less than 100% of its desires, but enough to satisfy each party that a good compromise has been reached.

Under the law, AT&T Missouri could not have been forced to expand its local calling scopes. AT&T Missouri, however, demonstrated its willingness to work with the community by agreeing to provide expanded calling without fully recovering the revenue it will lose by doing so.

While I voted for the Order, I am writing separately to object to the language added to the Order during the Agenda meeting requiring AT&T Missouri to file a notice in this case if it increases rates for the Greenwood exchange prior to January 1, 2010. The notice will simply provide information to the Commission and the parties about a rate increase that neither the Commission nor the parties have authority to prevent. Furthermore, the Stipulation and Agreement acknowledges that AT&T Missouri may revise its prices through the tariff process at any time.

In earlier proceedings before the Commission, the Greenwood exchange was declared competitive pursuant to section 392.245, RSMo Supp. 2005. Therefore, AT&T Missouri may raise or lower its rates for customers in this metropolitan calling area at its discretion.¹ Consequently, the only apparent reason to require notice of any increase in rates is to warn that the Commission or certain political constituencies may be upset if rates are increased. There is no legitimate reason to require AT&T Missouri to reopen this case and file a notice with the Commission.

Respectfully submitted,


Connie Murray, Commissioner

Dated at Jefferson City, Missouri
on this 10th day of January, 2006.

¹ Section 392.245, RSMo Supp. 2005.