

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

In the matter of the Application of MCC Telephony)
of Missouri, Inc., for a Certificate of Service Authority)
to Provide Basic Local Exchange, Non-Switched) **Case No. LA-2005-0150**
Local Exchange and Interexchange Telecommuni-)
cations Services in the State of Missouri and to)
Classify Said Services as Competitive)

CONCURRING OPINION OF COMMISSIONER CONNIE MURRAY

I write separately to express my concerns with the delay that resulted from the Commission's grant by delegation of intervention to STCG and MITG.

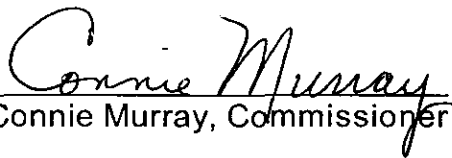
In its response to the applications to intervene, MCC pointed out that it had not sought authority to operate as a basic local company in any of the exchanges served by the applicants to intervene and that neither party had demonstrated that it would be adversely affected by an order granting MCC's Application. MCC further stated correctly that the issue of network configuration and how it will pass traffic from end user to end user is not an issue bearing on a carrier's eligibility for certification. On January 18, 2005, MCC asked the Commission to deny the Applications for Intervention and grant MCC's Application without delay.

Now, four months later, and over five months after the initial application, the Commission is finally issuing an order granting MCC's certificate. Had MCC not conceded to the demands of the interveners in the Stipulation and Agreement, the delay in receiving its certificate would have been much longer.

It is inappropriate for a carrier to intervene in a certificate application where, as here, there are no legitimate issues. It is even more inappropriate for

the interveners to demand concessions from an applicant "in exchange for intervener's agreement not to oppose the application or its approval." Delaying and burdening competitive entry may serve the interests of the interveners, but it does not serve the public interest.

Respectfully submitted,


Connie Murray, Commissioner

Dated at Jefferson City, Missouri
on this 5th day of May, 2005.