

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

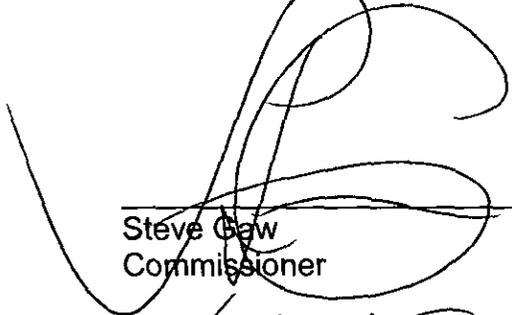
|                                       |   |                                     |
|---------------------------------------|---|-------------------------------------|
| In the Matter of the Tariff Filing of | ) |                                     |
| Sprint Missouri, Inc. d/b/a Sprint    | ) | <b><u>Case No. IT-2003-0292</u></b> |
| to Increase the Rate for the          | ) | Tariff No. JI-2003-1401             |
| Metropolitan Calling Area Plan        | ) |                                     |

**Dissenting Opinion of Commissioners Gaw and Simmons**

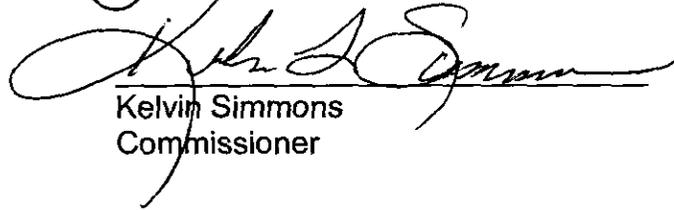
We respectfully dissent from the result reached by the majority. But we agree with the portion of the majority opinion that reads the price cap statute to give the Commission discretion to reject a properly calculated price cap increase if it is shown to not be just and reasonable. In particular, we agree with the analysis of the price cap statute presented in the concurring opinion of Commissioner Clayton.

We do not agree with the majority's analysis of the status of the proposed MCA increase. MCA service is a creation of this Commission. It is not a service like, for example, call waiting that has been developed and proposed by telecommunications companies. The Commission determined that MCA service should be offered, determined the parameters of the service, ordered local exchange carriers to offer it, and established prices for it. Furthermore, for most people MCA service is much more like basic service than a typical non-basic service like call waiting. We do not agree that a price cap company should be able to increase rates for this unique service without more Commission oversight than is afforded to other non-basic services under the price cap statute.

Respectfully submitted,



Steve Gaw  
Commissioner



Kelvin Simmons  
Commissioner

Dated at Jefferson City, Missouri,  
on this    day of October, 2003.