

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

In The Matter of a Request for Expansion of            )  
the Kansas City Metropolitan Calling Area Plan to    )  
include the exchange of Lexington as part of Tier 5.)    Case No. TO-2005-0142

**VOLUNTARY DISMISSAL**

The Office of the Public Counsel (“OPC” and “Public Counsel) voluntarily dismisses the request for the expansion of Tier 5 of the Kansas City Metropolitan Calling Area Plan to the Lexington exchange. On November 22, 2005, the OPC filed this case to accommodate residents and businesses in the Lexington community that indicated that they wanted this expanded calling option. The letters were filed in *In the matter of Further Investigation of the Metropolitan Area Calling Area Service After the Passage and Implementation of the Telecommunications Act of 1996*, Case No. TO-2001391 in May 2000.

Sprint Missouri suggested that the community no longer had strong interest in joining the MCA. OPC and Sprint agreed to contact the City of Lexington and its Chamber of Commerce (the organization that spearheaded the letters requesting MCA service) to gauge community interest. A notice was printed in the local newspaper. (A copy of the article is attached). The mayor’s office reported that only one resident contacted the city on expanding calling in response to the article.

Public Counsel advised the City of Lexington that unless the community had continued interest in the MCA, Public Counsel would be prepared to dismiss the request case. The Director of the Lexington Economic Development Counsel has advised OPC that:

“Apparently the consensus here within the community is that we are not interested in the opportunity at this time.”

WHEREFORE, Public Counsel hereby voluntarily dismiss the case without prejudice.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

**/s/ Michael F. Dandino**

BY: \_\_\_\_\_  
Michael F. Dandino (24590)  
Senior Public Counsel  
P.O. Box 2230  
Jefferson City, MO 65102  
(573) 751-4857  
(573) 751-5559  
Fax (573) 751-5562  
email: mike.dandino@ded.mo.gov

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was electronically transmitted, mailed or hand-delivered to all counsel of record on this 24<sup>th</sup> day of August 2005.

**/s/ Michael F. Dandino**

\_\_\_\_\_