

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 19th day  
of May, 2005.

|   |   |  |
|---|---|--|
| Manager of the Manufactured Housing<br>and Modular Units Program of the Public<br>Service Commission, | ) |  |
|   | ) |  |
|   | ) |  |
| Complainant,  | ) |  |
|   | ) |  |
| v.  | ) |  |
|   | ) |  |
| Coachman Homes of Eureka, Inc.,   | ) |  |
| d/b/a Coachman Homes of Eureka, Inc.,   | ) |  |
|   | ) |  |
| Respondent.   | ) |  |

**Case No. MC-2004-0271**

**ORDER DISMISSING COMPLAINT WITHOUT PREJUDICE**

Issue Date: May 19, 2005

Effective Date: May 29, 2005

Syllabus: This order dismisses the Complaint without prejudice.

On September 9, 2004, the Commission approved an agreement between the Manager of the Manufactured Housing and Modular Units Program of the Missouri Public Service Commission and Coachman Homes of Eureka, Inc. The Agreement required the payment of certain penalties, further inspection and correction, if needed, of the anchoring of homes at the expense of Coachman, the discontinuance of the use of a subcontractor, and a provision for future penalties in exchange for the Commission Staff dismissing the Complaint. The Agreement also indicated that a settlement

agreement was reached with Ms. Dixie Hatfield for restitution of her damages as well as the removal of the damaged home from her property.

On April 15, 2005, the Commission Staff filed its Fifteenth Status Report and Request to Close Case. In its report, Staff indicated that all the conditions of the Stipulated Agreement had been satisfied. The Commission directed additional information be filed and on April 28, 2005, Staff complied with that order.

The Commission has reviewed Staff's filings and the Agreement and finds that the conditions of the Agreement have been satisfied to date. Coachman remains, however, under the ongoing obligations in the Agreement to discontinue use of the subcontractor and regarding penalties for any substantial anchoring violations found within five years of the agreement. Although the Commission finds that it is no longer necessary for this case to remain open in the Commission's Electronic Filing and Information System (EFIS), Staff may seek to reopen this case or this Complaint under the terms of the Agreement if such violations are discovered. Therefore, the Commission will dismiss Staff's Complaint without prejudice.

**IT IS THEREFORE ORDERED:**

1. That under the terms of the Stipulated Agreement filed on August 30, 2004, the Commission dismisses this Complaint without prejudice.
2. That Coachman Homes of Eureka, Inc., remains under the obligations and is ordered to continue to comply with the terms of the Stipulated Agreement.
3. That this order shall become effective on May 29, 2005.

4. That this case may be closed in the Electronic Filing and Information System on May 30, 2005.

**BY THE COMMISSION**

Colleen M. Dale  
Secretary

( S E A L )

Davis, Chm., Murray, Clayton,  
and Appling, CC., concur.  
Gaw, C., dissents.

Dippell, Senior Regulatory Law Judge