

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Director of the Manufactured Housing
and Modular Units Program of the
Missouri Public Service Commission,

Complainant,

v.

Brookside Homes, Inc.,
2455 US Highway 67 South,
Festus, Missouri 63028,

Respondent.

Case No. MC-2009-0020

ORDER ADOPTING PROCEDURAL SCHEDULE

Issue Date: October 3, 2008

Effective Date: October 3, 2008

On September 23, 2008, the Director of the Manufactured Housing and Modular Units Program of the Missouri Public Service Commission and Brookside Homes, Inc., jointly filed a proposed procedural schedule. Since the parties have agreed to the schedule, the Commission will adopt it with some additions. The Commission notes that the parties have decided to forego the prefilings of written testimony. Therefore, all testimony will be offered “live” at the hearing.

The proposed schedule includes a settlement conference. The Commission will treat that conference as simply a meeting between the parties and will not require the parties to appear before the presiding officer as it would in an “on-the-record” prehearing conference.

The Commission finds that the following conditions shall be applied:

(A) The parties shall agree upon and Staff shall file a list of the issues to be heard, the witnesses to appear on each day of the hearing, the order in which they will be called, and the order of cross-examination for each witness. The list of issues should be detailed enough to inform the Commission of each issue that must be resolved. Any issue not contained in this list of issues will be viewed as uncontested and not requiring resolution by the Commission. The Commission further notes that as an ancillary issue to any case before the Commission, the Commission will always hear evidence as to the provision of safe and adequate service. Should the Commission find that evidence exists of unsafe or inadequate service, it may elect to authorize its General Counsel to pursue a complaint action or to seek penalties for any established violations of state statutes, Commission rules, or the company's tariffs.

(B) [Each party shall file a simple and concise statement summarizing its position on each disputed issue.

(C) All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 4 CSR 240 2.080. Briefs shall follow the same list of issues as filed in the case and must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

(D) All parties are required to bring an adequate number of copies of exhibits that they intend to offer into evidence at the hearing. The party offering an exhibit must bring, in addition to the copy for the court reporter, copies for the five Commissioners, the Presiding Judge, and all counsel.

THE COMMISSION ORDERS THAT:

1. The following procedural schedule is established:

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| Informal settlement conference | October 29, 2008 |
| Discovery cutoff date | January 15, 2009 |
| Preliminary list of issues exchanged but not filed | January 21, 2009 |
| List of issues and witnesses filed | January 30, 2009 |
| Position Statements | February 3, 2009 |
| Hearing | February 10-11, 2009 8:30 a.m. (first day) |

2. The hearing will be held at the Commission's offices at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri. This building meets accessibility standards required by the Americans with Disabilities Act. Anyone needing additional accommodations to participate in the hearing is requested to call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

3. This order shall become effective upon issuance.

(S E A L)

BY THE COMMISSION



Colleen M. Dale
Secretary

Nancy Dippell, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 3rd day of October, 2008.