

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

| | | |
|-----------------------------------|---|-------------------------------------|
| Director of the Manufactured |) | |
| Housing and Modular Units Program |) | |
| Of the Public Service Commission, |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | <u>File No. MC-2016-0067</u> |
| |) | |
| CMH Homes, Inc., d/b/a |) | |
| Clayton Homes #817, |) | |
| |) | |
| Respondent. |) | |
| |) | |
| VIA CERTIFIED MAIL |) | |

**ORDER GIVING NOTICE OF CONTESTED CASE, DIRECTING RESPONDENT
TO FILE A RESPONSE, AND DIRECTING STAFF INVESTIGATION**

Issue Date: September 17, 2015

Effective Date: September 17, 2015

On September 16, 2015, the Director of the Manufactured Housing and Modular Units Program of the Missouri Public Service Commission (“Complainant”) filed a two-count complaint against CMH Homes, Inc. d/b/a Clayton Homes #817. A copy of the complaint accompanies this notice. This is a contested case¹ pursuant to § 386.390, RSMo 2000.

The Commission will set a deadline for Clayton Homes #817 to file an answer. In the alternative, Clayton Homes #817 may file a written request that the complaint be referred to a neutral third-party mediator for voluntary mediation of the complaint. Upon receipt of a request for mediation, the 30-day time period shall be tolled while the Commission

¹ A “[c]ontested case’ means a proceeding before an agency in which legal rights, duties or privileges of specific parties are required by law to be determined after hearing.” Section 536.010.4, RSMo Cum.Supp. 2013.

ascertains whether or not Complainant is also willing to submit to voluntary mediation. If Complainant agrees to mediation, the time period within which an answer is due shall be suspended pending the resolution of the mediation process. Additional information regarding the mediation process is enclosed. If Complainant declines the opportunity to seek mediation, Clayton Homes #817 will be notified in writing that the tolling has ceased and will also be notified of the date by which an answer or notice of satisfaction must be filed. That period will usually be the remainder of the original 30-day period.

As required by § 536.067(2)(f), RSMo 2000, the Commission informs the parties that the Commission's provisions governing procedures before the Commission, including provisions relating to discovery, are found at Commission Rule 4 CSR 240-2.090.

THE COMMISSION ORDERS THAT:

1. CMH Homes Inc., d/b/a Clayton Homes #817, shall file an answer to this complaint or request for mediation no later than October 17, 2015. All pleadings (the answer or request for mediation) shall be filed in the Commission's Electronic Filing and Information System (EFIS) or mailed to the Secretary of the Commission.

2. The Commission's Data Center shall send a copy of this order and the complaint by certified mail to Respondent's registered agent:

C T Corporation System
120 South Central Avenue
Clayton, MO 63105

3. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Kim S. Burton, Regulatory Law Judge,
by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 17th day of September, 2015.