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October 27, 2000

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Director, Utility Services

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Director, Administration

DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

RE: Case No.MX-2000-448

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of a **MOTION FOR FINDING OF NECESSITY OF RULEMAKING**.

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

Bruce H. Bates
Associate General Counsel
(573) 751-7434
(573) 751-9285 (Fax)

Enclosure
cc: Counsel of Record

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

FILED²
OCT 27 2000
Missouri Public
Service Commission

In the Matter of a Proposed New Rule 4)
CSR 240-121.090 - Proper Initial Set Up)
of Pre-Owned Manufactured Homes.)

Case No. MX-2000-448

MOTION FOR FINDING OF NECESSITY OF RULEMAKING

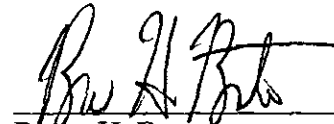
COMES NOW the Director of the Manufactured Housing and Modular Units Program of the Missouri Public Service Commission ("Director" and "Program"), by and through the Missouri Public Service Commission's ("Commission") Office of General Counsel, and for his *Motion for Finding of Necessity of Rulemaking* ("Motion") states as follows:

1. Attached, as Attachment A is the Director's recommendation to the Commission on the proposed rulemaking. Included in the recommendation is an analysis of the fiscal impact and effectiveness of the rule, both to the State as well as to any private or public person or entity affected by this rulemaking.
2. The Director proposes a new rule 4 CSR 240-121.090 to list the set up requirements for the installation of pre-owned manufactured homes.
3. This rulemaking is necessary to clarify authorized enforcement requirements that pre-owned manufactured homes are to be set up according to the manufacturer's set up and installation manual if available, and, if not available, according to the 1994 American National Standard Institute manufactured home installation manual.

WHEREFORE, the Director respectfully requests that the Commission, based upon reasonably available empirical data including an assessment of the effectiveness and costs both to the State and to any private or public person or entity affected, find that the proposed new rule 4 CSR 240-121.090 is necessary to assist the Manufactured Housing Department in making determinations about the proper set up of pre-owned manufactured homes.

Respectfully submitted,

DANA K. JOYCE
General Counsel

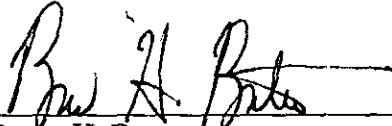


Bruce H. Bates
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Missouri Bar No. 35442

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 27th day of October 2000.



Bruce H. Bates

MEMORANDUM

TO: Missouri Public Service Commission Official Case File
Case No. MX-2000-448 Proposed Amendment to Rule 4 CSR 240-121.090
Proper Initial Set up of Pre-Owned Manufactured Homes

FROM: Steve Jungmeyer, Manufactured Housing and Modular Units Program

Wes Headman 10-26-00
Utility Operations Division / Date

[Signature] 10-26-00
General Counsel's Office / Date

SUBJECT: Staff Recommendation

DATE: October 23, 2000

4 CSR 240-121.090 – Proper Initial Set up of Pre-Owned Manufactured Homes is a new rule being proposed to list the set up requirements for the installation of pre-owned manufactured homes.

This rule is needed to clarify authorized enforcement requirements that pre-owned manufactured homes are to be set up according to the manufacturers set up and installation manual if available. If the manufacturer's manual is not available, the home shall be set up according to the 1994 American National Standard Institute manufactured home installation manual, (ANSI A225.1-1994). The Commission currently has authorization to enforce these requirements pursuant to Section 700.010 and 700.100 RSMo.

The new rule is necessary to assist the Manufactured Housing Department in making determinations about the proper set up of pre-owned manufactured homes.

There is no fiscal impact on the State or on any private or public person or entity resulting from this proposed rule amendment.

Staff recommends that the Commission find that a rulemaking to propose 4 CSR 240-121.090 is necessary.

Copies: Director – Utility Operations Division
Director – Utility Services Division
Director – Research and Public Affairs Division
General Counsel
Office of Public Counsel

10-26-00A10:07 RCVD

Attachment A

Service List for
Case No. MX-2000-448
October 27, 2000

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