



Commissioners

SHEILA LUMPE
Chair

HAROLD CRUMPTON

CONNIE MURRAY

ROBERT G. SCHEMENAUER

M. DIANNE DRAINER
Vice Chair

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.ecodev.state.mo.us/psc/>

November 19, 1999

GORDON L. PERSINGER
Acting Executive Director
Director, Research and Public Affairs

WESS A. HENDERSON
Director, Utility Operations

ROBERT SCHALLENGER
Director, Utility Services

DONNA M. KOLILIS
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. MC-2000-181

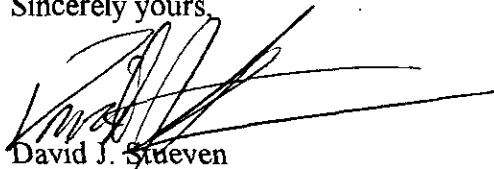
Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and fourteen (14) conformed copies of a **MOTION FOR DEFAULT**.

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,


David J. Stueven
Assistant General Counsel
(573) 751-6726
(573) 751-9285 (Fax)

Enclosure
cc: Counsel of Record

FILED²
NOV 19 1999
Missouri Public
Service Commission

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

Director of the Department of)
Manufactured Homes and Modular Units of)
the Public Service Commission,)
)
Complainant,)
)
v.)
)
Pitts Mobile Homes,)
)
Respondent.)

FILED²
NOV 19 1999
Missouri Public
Service Commission

Case No. MC-2000-181

MOTION FOR DEFAULT

COMES NOW the Director of the Department of Manufactured Homes and Modular Units of the Public Service Commission ("Director" and "Department"), by and through the Missouri Public Service Commission's ("Commission") Office of General Counsel, and states as follows:

1. On August 24, 1999, the Director filed a complaint against Pitts Mobile Homes ("Pitts"). The Director caused to be mailed a service copy of the complaint to Pitts by certified mail, return receipt requested. It was delivered on August 28, 1999 and William ("Billy") Pitts, the owner of Pitts, signed for the receipt for the service copy. The Commission issued a Notice of Complaint on August 31, 1999, and reissued the Notice of Complaint on October 7, 1999, as the first Notice of Complaint was not sent by certified mail.

2. As of November 12, 1999, Pitts has not responded to the complaint. Pursuant to 4 C.S.R. 240-2.070(9), if a respondent fails to respond to a complaint in a timely fashion (30 days pursuant to 4 C.S.R. 240-2.070(7)) the complainant's averments shall be deemed admitted unless the Commission finds good cause to extend the filing date of the answer.

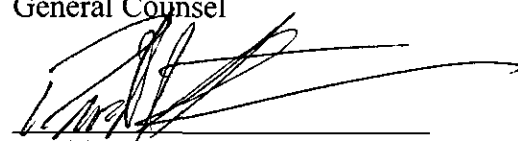
3. Pitts' 30 days to respond expired no later than November 8, 1999 (the first business day that is at least 30 days after the date of the reissue of the Notice of Complaint). Pitts has not filed anything to show good cause as to why the time to respond should be extended. Therefore, Pitts should be deemed to have admitted the averments contained within the complaint.

4. The Director's complaint contained seven counts, each of which requested that Pitts' Certificate of Dealer Registration ("Registration") be suspended for 14 days. The averments by the Director, in the complaint, provide sufficient basis to suspend Pitts' Registration for the 98 days requested by the Director. As Pitts's Registration is due to expire on January 15, 2000, well before the end of the 98 days requested, the Director requests that Pitts' Registration be revoked.

WHEREFORE, the Director respectfully requests that averments in the complaint be deemed admitted and that Pitts' Registration be revoked.

Respectfully submitted,

DANA K. JOYCE
General Counsel

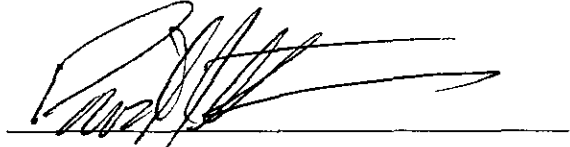


David J. Stueven
Assistant General Counsel
Missouri Bar No. 51274

Attorney for the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-6726 (Telephone)
(573) 751-9285 (Fax)

Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to the persons listed below on this 19th day of November 1999.

A handwritten signature in black ink, appearing to read 'William Pitts', is written over a horizontal line.

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

William Pitts
c/o Pitts Mobile Homes
8811 E. 40 Hwy
Kansas City, MO 64129