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Missouri Public Service Commission

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

October 27, 2000

BRIAN D. KINKADE  
Executive Director

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Director, Research and Public Affairs

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Director, Utility Operations

ROBERT SCHALLENBERG  
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.MX-2000-435

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

FILED<sup>2</sup>  
OCT 27 2000  
Missouri Public  
Service Commission

In the Matter of a Proposed Amendment     )  
to Rule 4 CSR 240-124.010 - Definitions.     )

Case No. MX-2000-435

**MOTION FOR FINDING OF NECESSITY OF RULEMAKING**

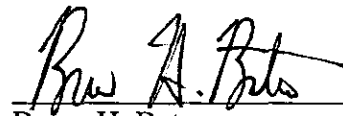
COMES NOW the Director of the Manufactured Housing and Modular Units Program of the Missouri Public Service Commission ("Director" and "Program"), by and through the Missouri Public Service Commission's ("Commission") Office of General Counsel, and for his *Motion for Finding of Necessity of Rulemaking* ("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 to amend Rule 4 CSR 240-124.010 to remove any reference to recreational vehicles.
3. This rulemaking is necessary to provide uniformity among the rules pertaining to manufactured housing and updates this rule with current industry terminology, and because the Commission no longer regulates recreational vehicles subsequent to the passage into law of Senate Bill 359 last year.

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 amendment to 4 CSR 240-124.010 (Definitions), is necessary to update and make uniform the rules pertaining to manufactured housing and for such other reasons as stated herein.

Respectfully submitted,

DANA K. JOYCE  
General Counsel




Bruce H. Bates  
Associate General Counsel  
Missouri Bar No. 35442

Attorney for the Staff of the  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102  
(573) 751-7434 (Telephone)  
(573) 751-9285 (Fax)  
bbates@mail.state.mo.us (E-Mail)

### **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-2000-435 Proposed Amendment to Rule 4 CSR 240-124.010  
Definitions

FROM: Steve Jungmeyer, Manufactured Housing and Modular Units Program

*Wes Henderson* 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 240-124.010 - Definitions is being amended to reflect the removal of any reference to recreational vehicles. The Public Service Commission no longer regulates recreational vehicles so the Department's name has changed to Manufactured Housing and Modular Units Program. The amendment to 4 CSR 240-124.010 reflects that change.

Pursuant to the passage of SB 359 last year, recreational vehicle regulation was removed from Public Service Commission jurisdiction. A fiscal impact representing a loss of revenue of approximately \$260,000 resulted from this legislation. The Department is currently developing a new fee structure to compensate for the revenue loss.

Staff recommends that the Commission find that a rulemaking to propose 4 CSR 240-124.010 is necessary.

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

*DH*  
10-26-00A10:08 RCVD

Attachment A

:08 RCVD

Service List for  
Case No. MX-2000-435  
October 27, 2000

Office of the Public Counsel  
PO Box 7800  
Jefferson City, MO 65102