



Missouri Public Service Commission

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October 27, 2000

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

FILED 2
OCT 27 2000
Missouri Public
Service Commission

RE: Case No.MX-2000-442

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

[Handwritten signature of Bruce H. Bates]

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 Amendment)
to Rule 4 CSR 240-123.040 - Approval of)
Manufacturing Programs.)

Case No. MX-2000-442

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 240-123.040 to update the name of the Department by removing reference to “mobile homes division” and replacing it with “Manufactured Housing and Modular Units Program”.

3. This rulemaking is necessary to provide uniformity among the rules pertaining to manufactured housing and updates this rule with current industry terminology.

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 240-123.040 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

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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-2000-442 Proposed Amendment to Rule 4 CSR 240-123.040
Approval of Manufacturing Programs

FROM: Steve Jungmeyer, Manufactured Housing and Modular Units Program
Wes Anderson 10-26-00 *10/26-00*
Utility Operations Division / Date General Counsel's Office / Date *BH-10-26-00*

SUBJECT: Staff Recommendation

DATE: October 23, 2000

4 CSR 240-123.040 – Approval of Manufacturing Programs is being amended to update the name of the Department by removing reference to “mobiles homes division” and replacing it with Manufactured Housing and Modular Units Program.

Additional proposals to 4 CSR 240-123.040 include a new rule pertaining to plan approval requirements which identify model names and system change proposals, and a proposed amendment to increase the fee from fifty dollars to seventy five dollars for each plan approval request received from a modular unit manufacturer. The plan approval requirement rule clarifies that any systems change (electric, plumbing, or gas) in an existing model must obtain a new approval. The proposed fee increase is necessary in order to help recover lost revenue from recreational vehicle de-regulation.

Based on using figures from fiscal year 1999, the increase in plan approval fees as mentioned above will increase plan approval revenue by approximately \$19,075. This increase is part of the Department’s overall fee structure plan and is necessary in order to make up for the loss of recreational vehicle regulation revenue.

Staff recommends that the Commission find that a rulemaking to propose 4 CSR 240-123.040 is necessary.

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

DH
10-26-00A10:07 RCVD

Attachment A

Service List for
Case No. MX-2000-442
October 27, 2000

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