

**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.)
)
Burkhart Mobile Homes, Inc.,)
)
Respondent.)

Case No. MC-2011-0319

MOTION FOR CONTINUANCE

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

1. Staff filed its Complaint herein on March 31, 2011.
2. This matter is presently set for evidentiary hearing on July 26, 2011.
3. Staff seeks a continuance of the hearing for approximately 90 days for the reasons set out below.
4. Staff is investigating further complaints against Respondent, including Respondent's inability or refusal to provide a certificate of title to one recent purchaser, which sale was evidently made after the expiration of Burkhart's dealer's license, and Respondent's inability or refusal to account for the whereabouts of some nine (9) new homes delivered to Burkhart over the past three years, which units are neither present on its lot nor listed in its Monthly Dealer Sales Reports filed with the Commission. Staff suggests that all of these matters should be joined with the allegations of the present

complaint into a single proceeding, both to conserve the Commission's resources and those of Respondent.

5. Due to the recent destructive tornado in Joplin, Missouri, the Staff of the Manufactured Housing and Modular Units Program is presently engaged in assisting FEMA in emplacing numerous modular units in that location as emergency shelters, school facilities, and for other purposes. This important work cannot be put off or rescheduled, with the result that the Staff is unable to assist in hearing preparation or in the investigation of the additional complaints received against Respondent.

6. Additionally, the undersigned is engaged in interviewing applicants for certain vacancies in the Staff Counsel's Office, which interviews will largely occupy his time until the end of July, leaving him unable to provide necessary guidance and assistance in the final preparation and litigation of this complaint.

WHEREFORE, on account of all the foregoing, Staff prays that the Commission will issue its Order continuing the evidentiary hearing herein for approximately ninety (90) days; and granting such other and further relief as the Commission deems just in the circumstances.

Respectfully submitted,

s/ Kevin A. Thompson
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Certificate of Service

I hereby certify that a true and correct copy of the foregoing was served, either electronically or by hand delivery or by First Class United States Mail, postage prepaid, on this **12th day of July, 2011**, on the parties of record as set out on the official Service List maintained by the Data Center of the Missouri Public Service Commission for this case.

s/ Kevin A. Thompson