

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

In the Matter of the Proposed Amendments)
of the Missouri Public Service Commission's)
Rules Relating to Manufactured Housing)

File No. MX-2016-0317

STAFF'S MEMORANDUM

COMES NOW Staff of the Missouri Public Service Commission ("Staff"), by and through the undersigned counsel, and respectfully files the attached Memorandum pursuant to *General Procedure 1*, stating Staff's finding that the actual cost of the amendments at 4 CSR 240-120.011, 4 CSR 240-120.031, 4 CSR 240-120.060, 4 CSR 240-120.065, 4 CSR 240-120.070, 4 CSR 240-120.080, 4 CSR 240-120.085, 4 CSR 240-120.090, 4 CSR 240-120.100, 4 CSR 240-120.110, 4 CSR 240-120.120, 4 CSR 240-120.130, 4 CSR 240-120.140, 4 CSR 240-121.010, 4 CSR 240-121.020, 4 CSR 240-121.030, 4 CSR 240-121.040, 4 CSR 240-121.050, 4 CSR 240-121.060, 4 CSR 240-121.180, 4 CSR 240-123.010, 4 CSR 240-123.020, 4 CSR 240-123.030, 4 CSR 240-123.040, 4 CSR 240-123.050, 4 CSR 240-123.060, 4 CSR 240-123.065, 4 CSR 240-123.070, 4 CSR 240-123.080, 4 CSR 240-123.090, 4 CSR 240-123.095, 4 CSR 240-124.010, 4 CSR 240-124.020, 4 CSR 240-124.030, 4 CSR 240-124.040, 4 CSR 240-124.045, 4 CSR 240-124.050, 4 CSR 240-124.060, 4 CSR 240-125.010, 4 CSR 240-125.020, 4 CSR 240-125.040, 4 CSR 240-125.050, 4 CSR 240-125.060, 4 CSR 240-125.070, 4 CSR 240-125.090, 4 CSR 240-126.010, 4 CSR 240-126.020, 4 CSR 240-127.010 to public and private entities have not exceeded the estimates by more than 10 percent.

WHEREFORE, Staff files this *Memorandum* for the Commission's information and consideration.

Respectfully submitted,

/s/ Alexandra L. Klaus

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile, or electronically mailed to all parties and/or counsel of record on this 23rd day of July, 2019.

/s/ Alexandra L. Klaus

MEMORANDUM

TO: Case File for Case No. MX-2016-0317

FROM: Justin Smith, Manager of Manufactured Housing and Modular Units Program,
on behalf of Commission Staff

SUBJECT: Accuracy of Cost Estimates for Rule Implementation of 4 CSR 240-120.011, .031, .060, .065, .070, .080, .085, .090, .100, .110, .120, .130, and .140, 4 CSR 240-121.010, .020, .030, .040, .050, .060, .180, 4 CSR 240-123.010, .020, .030, .040, .050, .060, .065, .070, .080, .090, .095, 4 CSR 240-124.010, .020, .030, .040, .045, .050, .060, 4 CSR 240-125.010, .020, .040, .050, .060, .070, .090, 4 CSR 240-126.010, .020, and 4 CSR 240-127.010 - Compliance with the Requirements of GP-1 of the Commission's General Procedures

DATE: July 23, 2019

The Commission Staff (Staff) has investigated the cost of implementing the rule revisions adopted by the Commission through this case and reports that it has not discovered any information showing the cost estimates published in the *Missouri Register* were inaccurate. On July 2, 2019, the Commission issued its *Invitation to File Comments Regarding Costs of Compliance* in this case. It directed all interested stakeholders to file comments regarding the actual cost of compliance with these rules with the Commission by July 19, 2019; no party filed responsive comments. Additionally, Staff reports that it has not received any other information from any party or stakeholder potentially or actually affected by these rules showing the cost estimates published in the *Missouri Register* were inaccurate.

The Commission's General Procedure GP-1 (GP-1) requires, among other things, that within 30 days before the end of the first full fiscal year after the implementation of a rule, amendment or rescission that Staff is to investigate whether the cost to all affected entities, including the Commission, has exceeded by ten percent or more the estimated cost in the fiscal note, or, where appropriate, has exceeded five hundred dollars.

GP-1 also requires the Staff to prepare a memorandum showing the results of its investigation within thirty (30) days after the end of the first full fiscal year of the implementation of the rule, amendment or rescission. If the Staff investigation shows the costs have not exceeded

ten percent for all entities, or where appropriate, the estimated five hundred dollars, Staff's Memorandum shall be entered into EFIS under the rulemaking's docket number.

Staff's response regarding the accuracy of the published cost estimates is within the time frame specified by Section 536.200.2, RSMo. This statute requires publication in the *Missouri Register* of a report of any excess cost over estimated cost, or cost over five hundred dollars, where appropriate, within 90 days after the close of the "first full fiscal year" after the implementation of the subject rule, amendment or recession. The change in the rules subject to this case became effective on March 30, 2018. The first full fiscal year after implementation ended on June 30, 2019. Accordingly, September 28, 2019 represents the 90-day expiration period for the publication of a report regarding excess cost information in the *Missouri Register*. Since the Staff's investigation indicates the published cost estimates have not been exceeded, no *Missouri Register* publication is required under Section 536.200.2 RSMo.

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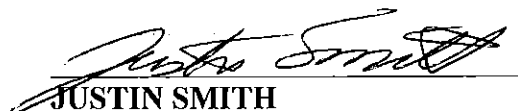
Case No. MX-2016-0317

AFFIDAVIT OF JUSTIN SMITH

STATE OF MISSOURI)
)
COUNTY OF COLE) ss.

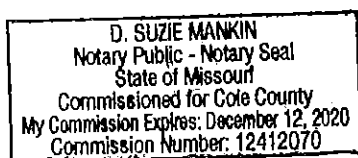
COMES NOW JUSTIN SMITH and on his oath declares that he is of sound mind and lawful age; that he contributed to the foregoing *Staff Recommendation* in Memorandum form; and that the same is true and correct according to his best knowledge and belief.

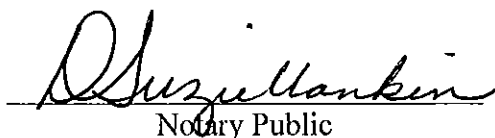
Further the Affiant sayeth not.


JUSTIN SMITH

JURAT

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of Cole, State of Missouri, at my office in Jefferson City, on this 22nd day of July 2019.




Notary Public