

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

Manager of the Manufactured Housing and Modular)  
Units Program of the Public Service Commission, )  
Complainant, v. Amega Sales, Inc. d/b/a Columbia )  
Discount Homes )

Case No. MC-2005-0145

**DISSENTING OPINION OF COMMISSIONERS ROBERT M. CLAYTON III AND  
STEVE GAW**

These Commissioners respectfully dissent from the majority Report and Order approving a proposed Stipulation and Agreement among Staff and the company. While the alleged victims appear to have received some restitution and a redress of their grievances against the company, these Commissioners are concerned that this settlement does not go far enough to deter inappropriate behavior in the manufactured housing industry.

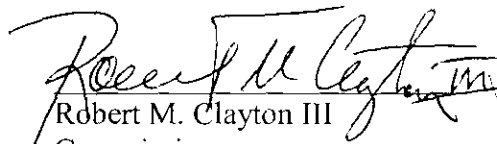
The Stipulation fails to adequately address the future consequences if this company or any of its affiliates, violate the terms of the agreement or commit new violations. Allegedly, this dealer operates various businesses under several different permits in Missouri. In the event an affiliate violates similar statutory or regulatory provisions, the Commission cannot revoke the benefits of the bargain enjoyed by the respondent. These Commissioners believe that a tighter form of "probation" would encourage appropriate behavior not just by the respondent in the case, but by all related affiliates doing business in this state. The Commission and the Director of the Manufactured Housing Program should be more aggressive in demanding language in the Stipulation which permits a more speedy resolution of complaints and the prompt administration of consequences against the accused dealer.

In addition, the Director should evaluate its interpretation of section 700.090(3)(b), RSMo Cum. Supp. 2005, under which the Director evidently believes dealers must have multiple permits for multiple business locations. This interpretation appears contrary to the statute. The licensing of dealers should be done in the most efficient manner. A single license or permit also allows for more effective enforcement of state law in resolving complaints.

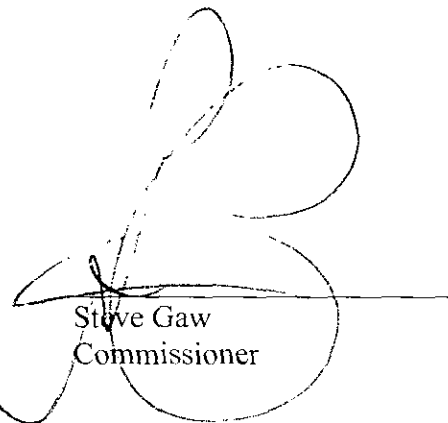
This Commission should instruct the Director to follow the statute and issue one dealer's license for multiple locations. If necessary, the Commission should propose and pursue modifications of state statutes and regulations giving the Director the power and all of the tools necessary to protect consumers from dishonorable manufactured housing dealers and installers.

For the foregoing reasons, these Commissioners dissent.

Respectfully Submitted,



Robert M. Clayton III  
Commissioner



Steve Gaw  
Commissioner

Dated at Jefferson City, Missouri,  
on this 26th day of July, 2006.