

1 BEFORE THE PUBLIC SERVICE COMMISSION

2 STATE OF MISSOURI

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5 TRANSCRIPT OF PROCEEDINGS

6 Prehearing Conference

7 August 12, 2010

8 Jefferson City, Missouri

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10 Volume 1

11
12 Director of The Manufactured Housing)
13 And Modular Units Program Of The)
14 Public Service Commission,)
15 Complainant,)
16 v.)
17 5 Star Homes And Development Company,))
18 Inc.,)
19 Respondent.)

File No.
MC-2010-0311

20 KENNARD L. JONES, Presiding
21 SENIOR REGULATORY LAW JUDGE

22
23 REPORTED BY:
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1 JUDGE JONES: This is a prehearing conference
2 for File No. MC-2010-0311. My name is Kennard Jones.
3 I'm the regulatory law judge assigned to this matter. At
4 this time we'll take entries of appearances from staff.

5 MR. BERLIN: Thank you, Judge. Appearing on
6 behalf of the Director of the Manufactured Housing and
7 Modular Units Programs of the Missouri Public Service
8 Commission is Bob Berlin and Eric Dearmont, P.O. Box 360,
9 Jefferson City, Missouri, 65102.

10 JUDGE JONES: I'll note for the record that the
11 Respondent, 5 Star Homes and Development Company,
12 Incorporated, has not appeared and it is a little after
13 ten o'clock, about 10:03, and we will now adjourn.

14 MR. BERLIN: Judge, before we adjourn, may I
15 make a motion?

16 JUDGE JONES: Sure.

17 MR. BERLIN: Thank you.

18 Pursuant to Rule 4 CSR 240-2.070, paragraph 9,
19 If the Respondent in a complaint case fails to file a
20 timely answer, the complainant's averments may be deemed
21 admitted and an order granting default entered.

22 I note by your order that you had given the
23 Respondents until the end of today, August 12, to file an
24 answer to be timely, and so I'm judging by his failure to
25 appear at this prehearing conference in this case that he

1 likely will not file an answer and I would move to seek
2 an order from the Commission granting default in this
3 complaint case.

4 JUDGE JONES: Well, I tell you what, what I'll
5 probably do is issue a delegation order, order to show
6 cause why a default order shouldn't be entered, and if
7 that's not responded to, then I'll submit to the
8 Commission an order of granted default.

9 JUDGE JONES: Thank you.

10 MR. BERLIN: Thank you, judge.

11 JUDGE JONES: Okay. All right. We're off the
12 the record. Thanks.

13 (Proceedings concluded.)

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1 CERTIFICATE OF REPORTER

2 I, Nancy L. Silva, CCR, within and for the State
3 of Missouri, do hereby certify that the witness whose
4 testimony appears in the foregoing proceedings was duly
5 sworn by me; that the testimony of said witness was taken
6 by me to the best of my ability and thereafter reduced to
7 typewriting under my direction; that I am neither counsel
8 for, related to, nor employed by any of the parties to
9 the action in which these proceedings were taken, and
10 further, that I am not a relative or employee of any
11 attorney or counsel employed by the parties thereto, nor
12 financially or otherwise interested in the outcome of the
13 action.

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Nancy L. Silva, CCR

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