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## Missouri Public Service Commission

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Director, Utility Services

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Director, Administration

DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE  
General Counsel

February 16, 2000

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

RE: Case No. MX-2000-440

FILED<sup>2</sup>

FEB 16 2000

Missouri Public  
Service Commission

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and fourteen (14) conformed copies of a **MOTION FOR FINDING OF NECESSITY FOR 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,

*David J. Stueven* (s)

David J. Stueven  
Assistant General Counsel  
(573) 751-6726  
(573) 751-9285 (Fax)

DS/dkf  
Enclosure  
cc: Counsel of Record

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

**FILED<sup>2</sup>**  
**FEB 16 2000**  
Missouri Public  
Service Commission

In the Matter of a Proposed Amendment     )  
to Rule 4 CSR 240-121.180 - Monthly         )  
Report Requirement for Registered            )  
Manufactured Home Dealers                    )

Case No. MX-2000-440

**MOTION FOR FINDING OF NECESSITY FOR RULEMAKING**

**COMES NOW** the Director of the Department of Manufactured Homes and Modular Units of the Missouri Public Service Commission ("Director" and "Department"), by and through the Missouri Public Service Commission's Office of General Counsel, and for his Motion For Finding of Necessity For Rulemaking ("Motion") states as follows:

1. Attached as attachment A is the Director's Recommendation to the Commission on the proposed rulemaking. There is no fiscal impact of the proposed rulemaking. The purpose of the rulemaking is to correct an incorrect statutory citation within the rule. This rulemaking will be effective in ensuring that the rule properly cites the statutory authority for the Public Service Commission ("Commission").

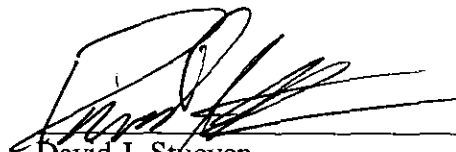
2. Monthly reporting requirements are authorized by RSMo §700.460 (1994). RSMo §700.460 (1994) also authorizes the Commission to promulgate rules on the information contained within the report, the manner in which dealers shall file the reports, and the form for the reports.

**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 rulemaking, Rule 4 CSR 240-121.180 - Monthly Report Requirement for Registered Manufactured Home Dealers, is necessary to carry out the purposes of Section 700.460 RSMo (1994).

Respectfully submitted,


DANA K. JOYCE  
General Counsel

  
\_\_\_\_\_  
David J. Stueven  
Assistant General Counsel  
Missouri Bar No. 51274

Attorney for the  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102  
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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 below service list this 16<sup>th</sup> day of February 2000.

  
\_\_\_\_\_

Office of Public Counsel  
P.O. Box 7800  
Jefferson City, MO 65102

## MEMORANDUM

TO: Missouri Public Service Commission Official Case File  
Case No. MX-2000-440 Proposed Amendment to Rule 4 CSR 240-121.180  
Monthly Report Requirement for Registered Manufactured Home Dealers

FROM: Steve Jungmeyer, <sup>ST</sup>Department of Manufactured Housing and Modular Units

Wes Henderson 2-15-00  
Utility Operations Division / Date

[Signature] 2-15-00  
General Counsel's Office / Date

OPB 2-15-00  
[Signature]

SUBJECT: Staff Recommendation

DATE: February 14, 2000

4 CRS 240-121.180 - Monthly Report Requirement for Registered Manufactured Home Dealers is being amended to correct a statutory citation within the rule; citation changed from 700.205, which does not exist, to 700.090 RSMo, which deals with registration requirements for dealers.

These changes will make the rule consistent with statutory requirements of Chapter 700, RSMo.

Staff recommends that the Commission find that a rulemaking to propose 4 CRS 240-121.180 is necessary.

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

RECEIVED  
FEB 15 2000  
MS 8:47  
COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION