BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of a Request for a Waiver from)	
Commission Rule 20 CSR 4240-125.040(1)(C))	File No. MO-2020-XXXX

REQUEST FOR WAIVER OF 20 CSR 4240-125.040(1)(C)

COMES NOW the Manager of the Manufactured Housing and Modular Units Program of the Missouri Public Service Commission ("Manager"), by and through counsel, and for its Request for Waiver ("Request"), in this matter hereby states:

- 1. Missouri law governs the licensing of Manufactured Housing and Modular Units installers in Chapter 700, RSMo.¹ Section 700.650.2(6) defines an installer as "an individual who is licensed by the commission to install manufactured homes, pursuant to sections 700.650 to 700.692[.]"
- 2. To help ensure the installers of manufactured homes are knowledgeable and competent, the state of Missouri requires installers must be licensed with the Commission. Part of this license requirement, section 700.659(4) requires installers to "[p]resent evidence that he or she has completed a training program approved by the commission[.]"
- 3. Commission Rule 20 CSR 4240-125.040 establishes the licensing requirements, fees, and responsibilities of manufactured homes installers.²
- 4. Essential to the licensing requirements is the continuing educational requirement. Commission Rule 20 CSR 4240-125.040(1)(C) requires "A manufactured

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¹ See Section 700.650, RSMo.

² See 20 CSR 4240-125.040.

home installer must attend certification classes every three (3) years *or as otherwise* required by the [M]anager [emphasis added]."

5. The Manager is of the opinion that requiring installers to attend a program which would fulfill the continuing educational requirements would not meet current social distancing requirements. Additionally, timing of the continuing educational requirement is at the discretion of the Manager.

WHEREFORE, the Manager recommends that the Commission grant a waiver of Commission Rule 20 CSR 4240-125.040 due to the risks COVID19 and the lack of social distancing present to installers attending continuing education classes and grant such other and further relief as the Commission considers just in the circumstances.

Respectfully submitted,

/s/ Ron Irving

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing has been transmitted by facsimile or electronically mailed to all parties and/or counsel of record this 12th day of May, 2020.

<u>/s/ Ron Irving</u>