

(A) Any adjustment mechanism, rate schedule, tariff, incentive plan, or other ratemaking mechanism that was approved by the commission and in effect prior to the effective date of this rule; and

(B) Any experimental regulatory plan that was approved by the commission and in effect prior to the effective date of this rule.

(11) Nothing in this rule shall preclude a complaint case from being filed, as provided by law, on the grounds that a utility is earning more than a fair return on equity due to an approved ECAM, nor shall a water utility be permitted to use the existence of its ECAM as a defense to a complaint case based upon an allegation that it is earning more than a fair return on equity. If a complaint is filed on the grounds that a utility is earning more than a fair return on equity, the commission shall issue a procedural schedule that includes a clear delineation of the case timeline no later than sixty (60) days from the date the complaint is filed.

(12) Waiver of Provisions of this Rule. Provisions of this rule may be waived by the commission for good cause shown after an opportunity for hearing.

AUTHORITY: sections 386.250 and 393.140, RSMo 2000, and section 386.266, RSMo Supp. 2012. Original rule filed Aug. 15, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may file comments in support of or in opposition to this proposed rule with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before October 16, 2013, and should include a reference to Commission Case No. WX-2013-0448. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing regarding this proposed rule is scheduled for October 24, 2013 at 10:00 a.m. in the commission's offices in the Governor Office Building, 200 Madison Street, Room 305 Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed rule, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 (voice) or Relay Missouri at 711.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 120—New Manufactured Homes**

PROPOSED AMENDMENT

4 CSR 240-120.065 Manufactured Home Dealer Setup Responsibilities. The commission is amending section (4).

PURPOSE: This amendment clarifies the time allowed for inspections to occur after a purchase and delivery of a manufactured home and adds the requirement of notification to the commission of the property locator.

(4) The commission shall not so discipline the dealer's registration unless the director of the commission's manufactured housing and modular units program finds, incident to an inspection, setup deficiencies and initiates action to discipline the registration within five (5) years after the date of sale[,], subject to the following, effective the first day of the month after the effective date of this amendment:

(A) The director will have a period of one (1) year from the date the dealer reports the delivery of the home to the consumer within which to conduct the initial inspection of the home setup. If the delivery is not reported by the dealer to the commission, the one (1) year period for initial inspection will run from the date the commission becomes aware of the delivery;

(B) After the one (1) year period has passed and within two (2) years of the delivery date of the home to the consumer, the director may conduct an inspection of the home for setup and code violations upon the receipt of a formal written complaint by the consumer;

(C) Dealers shall submit to the commission a property locator indicating the destination of the home within forty-eight (48) hours of the date the home leaves the dealer's location or the manufacturer's location if the home is shipped directly to the consumer. For multi-section homes the forty-eight (48) hours begins when the first section leaves the dealer's or manufacturer's location. The property locator form will be provided by the commission;

(D) The commission may assess a fifty dollar (\$50) per home inspection fee to dealers who fail to submit the property locator by the due date; and

(E) The commission shall assess a two hundred dollar (\$200) inspection fee to dealers who hire unlicensed installers to set up a home.

AUTHORITY: section 700.040, RSMo 2000. Original rule filed June 12, 2001, effective Jan. 30, 2002. Amended: Filed Aug. 15, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may file comments in support of or in opposition to this proposed amendment with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before October 16, 2013, and should include a reference to Commission Case No. MX-2013-0432. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing regarding this proposed amendment is scheduled for October 25, 2013 at 10:00 a.m. in the commission's offices in the Governor Office Building, 200 Madison Street, Room 305 Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 (voice) or Relay Missouri at 711.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 120—New Manufactured Homes**

PROPOSED AMENDMENT

4 CSR 240-120.085 Re-Inspection Fee. The commission is amending sections (1), (2), (3), (4), (5), (6), (8), (9), (10), and (11).

PURPOSE: This amendment adds installer requirements and clarifies provisions related to re-inspections and third party inspection.

(1) The commission may conduct as needed re-inspections of new manufactured homes to verify corrections have been made as identified during the original inspection, where required corrections have not been completed by the dealer, **installer**, or manufacturer within sixty (60) days of receipt of the original written complaint from the consumer as filed with the commission.

(2) The commission may *[charge]* assess the dealer, **installer**, or the manufacturer, or *[both]* each entity, a fee for the re-inspection. The fee is charged to the dealer, **installer**, or the manufacturer who was responsible for making the corrections~~/~~, or both where both were responsible, when items are not completed~~/~~ and completing the corrections in a timely manner as required in section (1).

(3) *[If recommended by the director, t]*The commission *[may waive the]* will not assess a re-inspection fee *[for either]* to the dealer, **installer**, or the manufacturer~~/~~, or both~~/~~ if it is found during the re-inspection that there is neither any material defect, nor material violation of Chapter 700, nor any material violation of Part 3280 of the *Manufactured Home Construction and Safety Standards Code*.

(4) The re-inspection shall address all violations listed in the original consumer inspection report. A copy of the report shall be forwarded to the manufacturer, **installer**, or dealer, *[or both]* or each responsible entity, for corrective action as well as an invoice for the re-inspection fee. A copy shall also be forwarded to the consumer, if applicable.

(5) The manufacturer, **installer**, and *[the]* dealer shall be sent a copy of the re-inspection report within ten (10) days from the date of the re-inspection.

(6) The assessed fee shall be paid to the commission within twenty (20) working days from the date the re-inspection is completed. Each manufacturer, **installer**, and *[each]* dealer shall submit, along with the fee, a written plan of action to be taken by each to correct any statutory, rule or code violations identified and corrections shall be completed within thirty (30) days of the re-inspection.

(8) The commission shall send written notification to each licensed manufacturer, **installer**, and *[each licensed]* dealer giving the effective date of the rule.

(9) The fee shall be two hundred dollars (\$200) per *[inspection to be paid by the manufacturer responsible for making the corrections as identified in the original inspection report, if the defect(s) or violation(s) as outlined in section (3) have not been corrected. The fee shall be two hundred dollars (\$200) per inspection to be paid by the dealer responsible for making the corrections as identified in the original inspection report, if the defect(s) or violation(s) as outlined in section (3) have not been corrected. The total fee shall not exceed four hundred dollars (\$400) per inspection and shall only be paid by the manufacturer or dealer, or both, who has failed*

to make the applicable corrections in a timely manner.] re-inspection as outlined in section (1) to be paid by the manufacturer, dealer, or installer responsible for making the correction as identified in the original inspection report. The fee shall be submitted with a form provided by the commission. The commission shall make the determination of who shall be assessed the fee.

(10) The commission shall assess an inspection fee of four hundred dollars (\$400) for all third party requests for inspections~~/~~ except third party inspection requests for the purpose of serial number verification will be charged two hundred dollars (\$200). Third party requests for inspections must be submitted in writing to the commission and the inspection fee must accompany the request. Third parties do not include licensed manufacturers or dealers.

(11) The following situations shall constitute grounds for the denial, suspension, revocation, or placing on probation of a manufacturer, **installer**, or dealer certificate of registration:

AUTHORITY: section 700.040, RSMo 2000. Original rule filed June 16, 2004, effective Jan. 30, 2005. Amended: Filed Aug. 15, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may file comments in support of or in opposition to this proposed amendment with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before October 16, 2013, and should include a reference to Commission Case No. MX-2013-0432. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing regarding this proposed amendment is scheduled for October 25, 2013 at 10:00 a.m. in the commission's offices in the Governor Office Building, 200 Madison Street, Room 305 Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 (voice) or Relay Missouri at 711.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 120—New Manufactured Homes**

PROPOSED AMENDMENT

4 CSR 240-120.130 Monthly Report Requirement for Registered Manufactured Home Dealers. The commission is amending sections (3), (4), and (8).

PURPOSE: This amendment sets forth the fee the Missouri Public Service Commission can assess and clarifies information to be included in monthly sales reports filed by registered manufactured home dealers.

(3) The director may reject all monthly sales reports that are incomplete and may assess an inspection fee of fifty dollars (\$50) per report for each report that is filed sixty (60) days after the due date.

(4) Failure to submit a completed monthly report by the due date and/or to pay any required fees could result in suspension or revocation of the dealer's registration under section 700.090, RSMo.

(8) Every monthly sales report shall contain the following information:

(K) The total sale price for all new units; [and]

(L) The total sale price for all used units[.]; and

(M) The name and license number of the installer of the new manufactured home (HUD homes).

AUTHORITY: section 700.1460]040, RSMo [1994] 2000. Emergency rule filed Nov. 8, 1985, effective Nov. 18, 1985, expired March 18, 1986. Original rule filed Nov. 8, 1985, effective Feb. 24, 1986. Amended: Filed Sept. 5, 2000, effective April 30, 2001. Amended: Filed Aug. 15, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may file comments in support of or in opposition to this proposed amendment with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before October 16, 2013, and should include a reference to Commission Case No. MX-2013-0432. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing regarding this proposed amendment is scheduled for October 25, 2013 at 10:00 a.m. in the commission's offices in the Governor Office Building, 200 Madison Street, Room 305 Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 (voice) or Relay Missouri at 711.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 123—Modular Units

PROPOSED AMENDMENT

4 CSR 240-123.065 Modular Unit Dealer/Selling Agent Setup Responsibilities. The commission is adding a new section (5), and renumbering sections (5) and (6).

PURPOSE: This amendment clarifies the time allowed for initial inspections to occur after a delivery of a manufactured home and adds the requirement of notification to the commission of the property locator.

(5) For dealers selling residential one (1) and two (2) family modular units built pursuant to the International Residential Code (IRC) to consumers: Effective the first day of the month following the effective date of this amendment, the director will have a period of one (1) year from the date the dealer reports to the commission the delivery of the home to the consumer within which to conduct the initial inspection of the home setup. If the delivery is not reported by the dealer to the commission, the one (1) year will run from the date the commission becomes aware of the delivery.

(A) After the one (1) year period has passed and within two (2) years of the delivery date of the home to the consumer, the director may conduct an initial inspection of the home for setup and code violations upon the receipt of a formal written complaint by the consumer.

(B) Dealers shall submit to the commission a property locator indicating the destination of the residential modular unit(s) within forty-eight (48) hours of the date the unit leaves the dealer's location or the manufacturer's location if the unit is shipped direct to the consumer. For multi-section residential modular units the forty-eight (48) hours begins when the first section leaves the dealer's or manufacturer's location. The property locator form will be provided by the commission.

(C) The commission may assess a fifty dollar (\$50) per home inspection fee to dealers who fail to submit the property locator by the due date.

[(5)](6) The dealer shall legibly print the date of sale on the bill of sale that it provides to the purchaser pursuant to section 700.056, RSMo, and shall maintain a copy of the bill of sale in its files at the location where it sold the modular unit to the purchaser, if possible; otherwise at its principal office.

[(6)](7) Every dealer of a modular unit shall provide to the purchaser at the time of sale a purchase agreement/bill of sale containing at least the following:

- (A) The purchaser name and address;
- (B) Make of the unit;
- (C) Serial number;
- (D) Date of sale;
- (E) Model and size;
- (F) The total price of the unit and its contents;
- (G) A list of all furniture and appliances in the unit;
- (H) Any other items which will be the responsibility of the purchaser such as transportation, handling, or installation/setup; and
- (I) If the unit is new or used and if the unit has incurred any damages.

AUTHORITY: section 700.040, RSMo 2000. Original rule filed June 12, 2001, effective Jan. 30, 2002. Amended: Filed Oct. 15, 2007, effective April 30, 2008. Amended: Filed Aug. 15, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may file comments in support of or in opposition to this proposed amendment with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before October 16, 2013, and should include a reference to Commission Case No. MX-2013-0432. Comments may also be submitted via a filing using the commission's electronic filing and information system at

<http://www.psc.mo.gov/efis.asp>. A public hearing regarding this proposed amendment is scheduled for October 25, 2013 at 10:00 a.m. in the commission's offices in the Governor Office Building, 200 Madison Street, Room 305 Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 (voice) or Relay Missouri at 711.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 123—Modular Units**

PROPOSED AMENDMENT

4 CSR 240-123.070 Monthly Report Requirement for Registered Modular Unit Dealers. The commission is amending sections (3) and (4).

PURPOSE: This amendment sets forth the inspection fee the Missouri Public Service Commission, Manufactured Housing and Modular Units Program can assess dealers.

(3) The director of the Manufactured Housing and Modular Units Program may reject monthly sales reports that are incomplete, and require dealers to submit corrected reports. **An inspection fee of fifty dollars (\$50) per report may be assessed for each report that is submitted sixty (60) days after the due date.**

(4) Failure to submit timely and complete monthly sales reports and/or to pay any required fees could result in suspension or revocation of the dealer's registration under section 700.100, RSMo.

AUTHORITY: section 700.460(4), RSMo 2000. Original rule filed June 12, 2001, effective Jan. 30, 2002. Amended: Filed Aug. 15, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may file comments in support of or in opposition to this proposed amendment with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before October 16, 2013, and should include a reference to Commission Case No. MX-2013-0432. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing regarding this proposed amendment is scheduled for October 25, 2013 at 10:00 a.m. in the commission's offices in the Governor Office Building, 200 Madison Street, Room 305 Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 (voice) or Relay Missouri at 711.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 123—Modular Units**

PROPOSED AMENDMENT

4 CSR 240-123.095 Re-Inspection Fee. The commission is amending sections (2), (3), and (9).

PURPOSE: This amendment clarifies provisions related to re-inspections fees.

(2) The commission may [charge] assess the dealer or the manufacturer, or both, a fee for the re-inspection. The fee is charged to the dealer or the manufacturer who was responsible for making the corrections, or both where both were responsible, when items are not completed in a timely manner as required in section (1).

(3) [If recommended by the director, t/The commission [may waive the] will not assess a re-inspection fee [for either] to the dealer or the manufacturer[, or both,] if it is found during the re-inspection that there is neither any material defect, nor material violation of Chapter 700, nor any material violation of the *International Building Code* or the *International Residential Code* as adopted by the commission.

(9) The fee shall be two hundred dollars (\$200) [per inspection to be paid by the manufacturer responsible for making the corrections as identified in the original inspection report, if the defect(s) or violation(s) as outlined in section (3) have not been corrected. The fee shall be two hundred dollars (\$200) per inspection to be paid by the dealer responsible for making the corrections as identified in the original inspection report, if the defect(s) or violation(s) as outlined in section (3) have not been corrected. The total fee shall not exceed four hundred dollars (\$400) per inspection and shall only be paid by the manufacturer or dealer, or both, who has failed to make the applicable corrections in a timely manner.] per re-inspection as outlined in section (1) to be paid by the manufacturer, dealer, or installer responsible for making the correction as identified in the original inspection report. The fee shall be submitted with a form provided by the commission. The commission shall make the determination of who shall be assessed the fee.

AUTHORITY: section 700.040, RSMo 2000. Original rule filed June 16, 2004, effective Jan. 30, 2005. Amended: Filed Aug. 15, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may file comments in support of or in opposition to this proposed amendment with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before October

16, 2013, and should include a reference to Commission Case No. MX-2013-0432. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing regarding this proposed amendment is scheduled for October 25, 2013 at 10:00 a.m. in the commission's offices in the Governor Office Building, 200 Madison Street, Room 305 Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 (voice) or Relay Missouri at 711.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 125—Manufactured Home Installers**

PROPOSED AMENDMENT

4 CSR 240-125.010 Definitions. The commission is amending the purpose, section (8), adding a new section (24), and renumbering section (24).

PURPOSE: This amendment clarifies a term and adds a new term to the definitions.

PURPOSE: This rule defines various terms as used in this chapter[,] and in chapters 120, 123, and 125.

(8) Dealer is any person, other than a manufacturer, who sells or offers for sale four (4) or more used manufactured homes or one (1) or more new manufactured homes or modular units in any consecutive twelve (12)-month period or as otherwise defined in section 700.010, RSMo.

(24) Primary Installer is the licensed installer who is responsible for the initial installation of the home to include ensuring the home site is properly prepared, ensuring the foundation and/or piers meet the applicable standards before setting the home on the site, and placing the installation decal and sign-off portion of the decal on the home.

[(24)](25) Program means Title VI of P.L. 106-569 and any federal regulations promulgated thereunder and as may be amended.

AUTHORITY: section 700.692, RSMo Supp. [2004] 2012. Original rule filed Jan. 14, 2005, effective June 30, 2005. Amended: Filed Aug. 15, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may file comments in support of or in opposition to this proposed amendment with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before October

16, 2013, and should include a reference to Commission Case No. MX-2013-0432. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing regarding this proposed amendment is scheduled for October 25, 2013 at 10:00 a.m. in the commission's offices in the Governor Office Building, 200 Madison Street, Room 305 Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 (voice) or Relay Missouri at 711.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 125—Manufactured Home Installers**

PROPOSED AMENDMENT

4 CSR 240-125.040 Manufactured Home Installer License. The commission is amending subsection (2)(A).

PURPOSE: This amendment clarifies and adds responsibilities for manufactured home installers.

(2) Installer Responsibilities and Limits.

(A) Work covered by an installer licensee shall include but not be limited to the following:

1. Installing manufactured home underfloor vapor retarder as required by the manufacturer's installation manual for proper ventilation and access;

2. Installing the support, tie-down, anchoring and the structural connections and roof installation for manufactured homes;

3. Providing plumbing and electrical utility connections unless they are regulated by local jurisdictions;

4. Providing plumbing, electrical and mechanical cross-over, appliance and fixture connections of and to the manufactured home, as permitted by these requirements;

5. Assuring that all appliance exhaust ducts are roughed in and terminations are complete when required;

6. Closing and securing all access panels and covers on or under the manufactured home;

7. Assuring all doors and windows are adjusted, secured in place, and operational;

8. Assuring all shipped loose flue vents and chimneys are installed, secured in place, and capped according to the manufacturer's installation manual;

9. Where the installer also installs the skirting, complying with skirting requirements to ensure proper ventilation;

10. Affixing the installation decal to each manufactured home;

11. Completing all reporting and application forms required by the program;

12. Leaving the manufacturer's installation manual at the installation site;

13. Assuring that all portions of the manufactured home installation are in compliance with the manufacturer's installation manual; [and]

14. Correcting all applicable nonconformances within thirty (30) days of receipt of a correction notice from the commission[.];

15. Each Primary Installer shall be responsible for ensuring the site and foundation are correct before setting the home on the site or foundation. If the home is not correctly set on the site or

foundation, the primary installer shall be responsible for making corrections to the site or foundation, pursuant to sections 700.010(5), RSMo, and (15) and 4 CSR 240-125.010(12) and (13); and

16. Primary Installers who install new homes in Missouri from dealers, manufacturers or other entities located in other states shall submit a property locator to the commission prior to placing the home on the site. Failure to submit the property locator to the commission prior to placing the home on the site may subject the installer to the fifty dollar (\$50) inspection fee as defined in 4 CSR 240-120.065(4)(D).

AUTHORITY: section 700.692, RSMo Supp. [2004] 2012. Original rule filed Jan. 14, 2005, effective June 30, 2005. Amended: Filed Aug. 15, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may file comments in support of or in opposition to this proposed amendment with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before October 16, 2013, and should include a reference to Commission Case No. MX-2013-0432. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing regarding this proposed amendment is scheduled for October 25, 2013 at 10:00 a.m. in the commission's offices in the Governor Office Building, 200 Madison Street, Room 305 Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 (voice) or Relay Missouri at 711.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 125—Manufactured Home Installers**

PROPOSED AMENDMENT

4 CSR 240-125.070 Installation Decals. The commission is amending sections (1) and (3).

PURPOSE: This amendment clarifies installation decal requirements and associated reporting requirements and fees for manufactured home installers.

(1) Requirements for Installation Decals.

(A) An installation decal issued by the commission shall be a permanent stick-on decal to be attached to the exterior of the home and shall also include a sign-off [sticker] portion of the decal, which must be attached next to the data plate inside the home with the initials and license number of each installer involved with the setup and installation of the home.

(B) The [licensed manufactured home installer (installing manufactured homes)] primary installer who is responsible for the initial installation and setup of the manufactured home which includes [all or] site preparation and foundation and any portion of the blocking, leveling, or roof [setup or] installation [capping] is responsible for affixing the installation decal and the sign-off [sticker] portion of the decal to the manufactured home upon completion of [the installation] blocking, leveling, or roof installation.

(E) Only licensed installers may be issued installation decals by the commission and decals shall be affixed only by licensed installers upon completion of the [installation] blocking and leveling.

(3) Monthly Installation Decal Report.

(B) The report [must] shall be filed on the commission's Installation Decal Report Form. The forms may be obtained from the Missouri Public Service Commission, PO Box 360, Jefferson City, MO 65102.

(C) The director may reject all monthly reports that are incomplete[,] and may assess an inspection fee of fifty dollars (\$50) per report for each report that is filed sixty (60) days after the due date.

(D) Failure to submit a completed monthly report by the due date or failure to pay any required fees could result in suspension or revocation of the installer's license.

(E) A report [must] shall be filed for each month or part of the month for which the installer is licensed. If no decals are placed or installed in a given month, the installer [must] shall file the usual form no later than the tenth of the following month.

(F) The licensed installer or a representative of the licensed installer [must] shall sign the report.

(I) Primary Installers who fail to attach the installation decal and/or the sign-off portion of the decal to the home immediately after the completion of the blocking and leveling of the home will be subject to a two hundred dollar (\$200) inspection fee. The fee shall be paid and submitted to the commission within ten (10) days after notification by the director.

AUTHORITY: section 700.692, RSMo Supp. [2004] 2012. Original rule filed Jan. 14, 2005, effective June 30, 2005. Amended: Filed Aug. 15, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may file comments in support of or in opposition to this proposed amendment with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before October 16, 2013, and should include a reference to Commission Case No. MX-2013-0432. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing regarding this proposed amendment is scheduled for October 25, 2013 at 10:00 a.m. in the commission's offices in the Governor Office Building, 200 Madison Street, Room 305 Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri