

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

In the Matter of an Investigatory Docket to)
Review the Setup Installation Practices of)
Brune Mobile Sales) **Case No. MO-2019-XXXX**

MOTION TO OPEN AN INVESTIGATORY DOCKET

COMES NOW the Manager of the Manufactured Housing and Modular Units Program of the Public Service Commission (“Manager”), by and through counsel, and for this *Motion to Open an Investigatory Docket* (“Motion”), states as follows:

1. Brune Mobile Sales is currently registered, as set forth under section 700.090, RSMo, as a dealer of manufactured units. A Certificate of Dealer Manufacturer Registration (“Certificate”) was issued to Brune Mobile Sales on January 15, 2019, and it is valid until January 15, 2020.¹ The Certificate lists an established place of business at 901 N. Kingshighway, Perryville, MO 63775.

2. Pursuant to 4 CSR 240-120.031, the Commission has delegated to the Manager certain of its powers pertaining to administering and enforcing Chapter 700, RSMo, as it relates to new manufactured homes, not including the powers to establish, change, or eliminate the amount of fees for seals and/or inspections; deny, refuse to renew, suspend, revoke, or place on probation a registration for any reason under provisions of this rule; and other duties outlined in Chapter 700 RSMo, not specifically delegated, which are retained by the Commission.

¹ Brune Mobile Sales was also issued a Certificate effective during the following time periods:

April 14, 2015 to January 15, 2016;
March 9, 2016 to January 15, 2017;
December 27, 2016 to January 15, 2018; and
December 18, 2017 to January 15, 2019.

3. Upon information and belief, Brune Mobile Sales has not always used a licensed installer to properly setup homes; rather, Brune Mobile Sales has on at least four (4) occasions obtained written waivers from purchasers, presumably as allowed by §§ 700.100.3(6) and 700.656.5, RSMo., and Commission rule 4 CSR 240-120.065(1)(A).

4. Questions surround these purported waivers, for example, whether unlicensed employees of Brune Mobile Sales nevertheless still setup the home(s) and, if so, whether and to what extent Brune Mobile Sales uses waivers to circumvent its obligation to arrange proper initial setup with licensed installers.

5. Manager requests that the Commission open an investigatory docket permitting the issuance of data requests pertinent to this subject so that Manager may discern if Brune Mobile Sales has violated any statute, rule or regulation which necessitates further action by Manager. Should Manager discover that Brune Mobile Sales has violated a statute, rule or regulation, Manager will proceed as appropriate.

WHEREFORE, Manager respectfully submits this Motion and requests the Commission issue an order that opens an investigatory docket into this matter; and grant such other and further relief as is just in the circumstances.

Respectfully submitted,

/s/ Alexandra L. Klaus

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile, or electronically mailed to all parties and/or counsel of record on this 11th day of March, 2019.

/s/ Alexandra L. Klaus