

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
October 30, 2000**

**CASE NO: MC-2000-818**

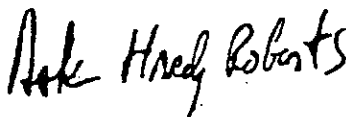
**Office of the Public Counsel**  
P.O. Box 7800  
Jefferson City, MO 65102

**General Counsel**  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

**Michael J. Havicon**  
c/o Oakcreek Village of Bonne Terre  
6967 Stormy Lane  
Bonne Terre, MO 63628

**Enclosed find certified copy of a NOTICE in the above-numbered case(s).**

Sincerely,

A handwritten signature in black ink that reads "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

**Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge**

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

|   |   |                                    |
|---|---|------------------------------------|
| Director of the Division of Manufactured<br>Homes, Recreational Vehicles and Modular<br>Units of the Public Service Commission, | ) |                                    |
|   | ) |                                    |
| Complainant,  | ) |                                    |
|   | ) |                                    |
| v.  | ) | <b><u>Case No. MC-2000-818</u></b> |
|   | ) |                                    |
| Manufactured Housing Services of  | ) |                                    |
| Bonne Terre d/b/a Oakcreek Village of   | ) |                                    |
| Bonne Terre,  | ) |                                    |
|   | ) |                                    |
| Respondent.   | ) |                                    |

**NOTICE CLOSING CASE**

On June 14, 2000, the Director of the Division of Manufactured Homes, Recreational Vehicles and Modular Units of the Missouri Public Service Commission (Complainant) filed a complaint with the Missouri Public Service Commission (Commission) against Manufactured Housing Services of Bonne Terre d/b/a Oakcreek Village of Bonne Terre (Respondent). Notice of the complaint was mailed to the Respondent by certified mail on June 19, 2000. In that notice of complaint, the Respondent, was given 30 days from the date of the notice of complaint (i.e., until July 19, 2000) to respond to the complaint by filing an answer, a notice that the complaint has been satisfied, or a written request that the complaint be referred to a neutral third-party mediator for voluntary mediation of the complaint.

A return receipt from the United States Postal Service filed in the official case file shows that the Respondent acknowledged that it had received the notice of complaint on July 3, 2000.

The Respondent made no response to the complaint.

Commission Rule 4 CSR 240-2.070(9) states:

If the respondent in a complaint case fails to file a timely answer, the complainant's averments may be deemed admitted and an order granting default entered. The respondent has seven (7) days from the issue date of the order granting default to file a motion to set aside the order of default and extend the filing date of the answer. The commission may grant the motion to set aside the order of default and grant the respondent additional time to answer if it finds good cause.

The Respondent did not comply with Commission Rule 4 CSR 240-2.070(9) in that it failed to file a timely answer and was thus in default. Therefore, the Commission entered its order finding default on July 27, 2000.

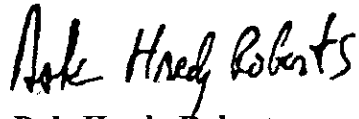
On August 11, 2000, Respondent late-filed a motion for "rehearing and reconsideration." The Complainant did not respond to the Respondent's motion.

On September 13, 2000, the Commission entered its order setting aside the order finding default and ordering the Respondent to file no later than September 28, 2000, an answer, a notice that the complaint has been satisfied, or a written request that the complaint be referred to a neutral third-party mediator for voluntary mediation of the complaint.

Once more, the Respondent did not comply with Commission Rule 4 CSR 240-2.070(9) in that it failed to file a timely answer and was thus in default. Therefore, the Commission entered its second order finding default on October 12, 2000, with the effective date of the order being October 22, 2000.

Since no further action need be taken on this case, it may be closed.

**BY THE COMMISSION**



**Dale Hardy Roberts**

**Secretary/Chief Regulatory Law Judge**

( S E A L )

Dated at Jefferson City, Missouri,  
on this 30th day of October, 2000.

Hopkins, Senior Regulatory Law Judge

**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

I have compared the preceding copy with the original on file in this office and  
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,  
Missouri, this 30<sup>th</sup> day of Oct. 2000.



*Dale Hardy Roberts*

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**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**